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NATIONAL MUNICIPAL REVIEW

1919

Editors

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Ordinarily the NATIONAL MUNICIPAL REVIEW should be in the hands of members and subscribers within a week of the first day of the months of publication, to wit, January, March, May, July, September, and November. The extraordinary conditions of the last six months, however, have resulted in numerous delays. If the magazine is not received by the 15th of the month of issue, the Editor will be greatly obliged if a postal to that effect is sent to his office, 703 North American Building, Philadelphia.

PLATFORM ADOPTED AT ROCHESTER NOVEMBER 22, 1918

THE Rochester Conference on American Reconstruction Problems called by the National Municipal League, presents the following platform for the consideration and support of all citizens who desire to see the United States in a more advanced position at the end of the war than at its beginning:

PLATFORM

During the war, as measures of necessary national efficiency, numerous matters formerly within private control, passed to the control of the people. Some of these things should undoubtedly be returned promptly to private enterprise; but the American people will miss a great opportunity if they allow certain of these temporary powers to slip through their fingers in the next few months.

1. During the war the long desired federal employment service has been created and the national government has assumed responsibility for connecting employers and workers in the only right and efficient way. This service should be encouraged to extend its sphere to include the education of employers in modern principles of employment.

2. Corporations, particularly those doing an interstate business have become a great source of federal revenue and may reasonably be expected to continue to be such. Federal control and supervision of their practices should be continued and extended for they create national, not merely statewide, problems. Effort should be made to free them from conflicting and ineffectual state regulations by a federal incorporation procedure.

3. The government has assumed control of railroads, telegraphs and

telephones, opening the opportunity for either federal ownership, with private operation, or federal ownership with federal operation, or a reorganization by economical regional systems under a method of control that will protect private capital by insuring a reasonable return, yet removing speculative and anti-social features of the private ownership of the past with its relatively feeble and negative scheme of regulation. Whichever principle is adopted is a smaller matter than that the essential features of our present control should never be relinquished.

4. The federal government has acquired by its merchant fleet and its war trade board intimate knowledge and capacity for mobilizing our resources for foreign trade. Factors which will be valuable in normal peace times should be retained.

5. The federal government through its food and fuel administrations and its war industries board has acquired a command over basic resources which played a vital part in securing national efficiency. Every effort should be made to preserve the nucleus of these valuable agencies in such form and with such powers that we may achieve some part of that efficiency in peace.

6. The federal government has manifested grave interest and exerted its war powers to influence the cost of living and prevent profiteering. It should continue to exert its peace powers toward the same beneficent end.

7. The federal government has concerned itself effectively in the problem of housing industrial workers and has placed upon a new basis of prestige and authority the American movement for garden cities and suburbs. Its interest in this aspect of the welfare of the workers and the efficiency of industry should not now lapse but the labor department's bureau of industrial housing should be continued and its powers broadened to include educational work and research into our vast industrial housing problems.

8. As a measure of protecting the effectiveness of its soldiers and industrial workers, the federal government has found it necessary to use its influence with local governments regarding moral and health conditions. Such federal interest in local governments should not lapse, but should result in the continued attack upon vice problems by the public health service and in the formation of a federal bureau of municipalities in the department of the interior to collect and distribute information on municipal problems.

In short, we, as a people during the next few months, must vigorously hold the ground we have gained during the war.

THE NEW RELATION OF THE FEDERAL GOVERNMENT TO STATE AND LOCAL COMMUNITIES

HOWARD LEE MCBAIN
New York City[1]

OUR constitutional system was on the whole erected to withstand not to assimilate economic revolutions. It is nevertheless a fact that, in spite of the revilers against its obstructive staticism, the chief marvel of our constitution has been its capacity for absorbing unforseen changes, however gradually. The literal "a b c's" of our political institutions considered in the light of their adaptability to politico-economic changes are: (a) our federal system with its division of powers between the national government and the forty-eight states of the Union; (b) our written constitutions imposing definite and indefinite prohibitions on our governments, state and national; and (c) the power of our courts to enforce these prohibitions by judicial veto that varies in the quality of its finality. This is merely to recite elements in our political system that are within the range of school-boy erudition. But in the face of vaguely forecasted changes in our national economy these commonplaces of our institutions assume fresh significances. A new glance at our old institutions cannot be harmful; at the worst it can only be useless.

CONSTITUTIONAL LIMITATIONS

Under our existing constitutional arrangement it is perfectly obvious that congress is limited in its legal competence to put into effect the whole of any widespread program of economic readjustment. The apparently unrestricted war powers of congress cannot be taken as a measure of national powers in time of peace. Out of the vast extension of national activity for war purposes it is highly probable that a considerable amount of the new centralized control will remain during the immediate post-war period, and that some of it will survive as permanent. Conceding this, everybody yet knows that congress can act only within a prescribed, though somewhat uncertainly prescribed, orbit. The first question that obviously presents itself is: What may congress do by direction? This question goes manifestly to the concrete issues of readjustment and involves consideration of many intricacies of our constitutional law. I cannot therefore attempt to answer it in detail. A few points only can be noted.

DEMOBILIZATION, MILITARY AND INDUSTRIAL

I take it as foregone that congress is competent under its war powers to provide in every way that is necessary for the demobilization of the

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military forces of the United States, including adequate provision for the prevention of economic distress by reason of unemployment, the care of the sick and wounded, and the re-education of the maimed and crippled. In this no inconsiderable undertaking many questions of policy are involved. At least one step has already been taken by congress in the enactment of the Smith-Sears bill for the vocational re-education of the permanently injured. In whatever further steps are taken it is probable that congress will act for the most part by direction and not through the medium of state and local agencies. The questions involved are, however, questions of policy and not of power. Surely, if congress can create and maintain armies and navies, congress can also provide in any way that it sees fit for a sane and decent demobilization of the forces that have been called into being.

The transformation of industries from a war to a peace footing involves a far more difficult question of congressional competence. This is a serious problem even though temporary in character. Moreover, some of the policies that might be adopted in reference to it would present serious constitutional questions and might involve policies that would grow into permanency. For instance, do the war powers of congress include the power to provide during the transitional period financial assistance to those numerous industrial plants that have been lured into war work either by the hope of profits or by patriotism or by both? Perhaps the closest answer that we have to this question is the fact that more than half a century ago it was thought no less proper than legal that our governments, national, state, and local, should give financial aid to the exploitation and development of railways.

THE WAR FINANCE CORPORATION

We have also with us as a present war measure the War Finance Corporation, endowed with power to lend support from the national treasury to necessary industrial and utility enterprises. Disastrous were the consequences of public aid for railways during the era when that policy had unbridled and haphazard vogue throughout the country. It received, nevertheless, the stamp of judicial approval. The constitutionality of the War Finance Corporation has not been brought to test before the courts.

There are few who would not agree perhaps that the proposal that the government should lend financial assistance to aid war industries in their temporary struggle for peace readjustment has as much foundation in reason and should have as much foundation in law as the policy of government aid to railways, if not of government aid to industries and utilities in time of war. More especially would this be true if such aid were extended under strict supervision and control (elements that were practically unknown in the era of railway aid) not only to the end that loans should be honestly and efficiently utilized but also to the end that industries should be promoted with reference to the needs of employment and to the immediate economic needs of our own country as well as of the countries with which we have been associated in the recent great enterprise.

A PEACE FINANCE CORPORATION

The time has passed when war can be regarded as an undertaking isolated from industry. Congress cannot raise and support an army and a navy for modern warfare unless congress also raises and supports war industries, either by direct government action or by inducement. Our war industries, although in the main under private control, are an integral part of our armed forces. Whatever their motive, it is a fact that many industries have turned to war production and thereby have become an indistinguishable part of our gigantic machinery of war. Considering the national welfare the demobilization of these industries is a duty that differs only in important degree from the duty of demobilizing the armed forces. I do not see how the courts could successfully maintain that the relocation of war industries has no relation whatever to the raising and support of an army and navy. I am well aware of the doctrine of no taxation for a private purpose and of the cases in which this doctrine has been applied by the courts to defeat projects for government aid to private industry. So far as I know, however, the doctrine has never been wielded against an act of congress. And I am inclined to believe that a Peace Finance Corporation, of a temporary character, would be sustained by the courts as a proper exercise of the war powers of congress.

THE QUESTION OF POWER

I am not here advocating government aid to war industries in the transition period that is upon us. I am speaking only to the question of power. Moreover, in referring to the matter at all, I have far less in mind the interests of capitalist war producers than the interests of the laborers whom they employ. Until our entire economic order is fundamentally altered the opportunity for labor must depend upon the directions of capital, wise or capricious. By and large, capitalists can far more easily survive this period of transition than can their employes. Direct national aid to these employes may seem to be more consonant with the spirit of the hour than direct aid to their capitalist employers. It is nevertheless obvious that direct aid to these employes (insuring them, for example, against unemployment during the era of transition), would involve an elaborate administrative machinery. It would not serve to direct the courses of industrial rehabilitation, and it is possible that it would obstruct rather than facilitate a return to normal conditions in industry. Needless to say that through the medium of government aid to industries the status of labor in the assisted plants could be and should be dictated by the government itself just as it has been largely dictated during the war period. So far, however, as the question of congressional competence is concerned, direct aid to employes in these circumstances would doubtless present the same question of constitutional law as direct aid to industries.

In any policy that congress may pursue in respect to this matter it is improbable that the states or local governments will be called upon for much, if any, collaboration. These governments have little machinery that could be adapted to the purpose of effectuating such a policy. If direct aid should be extended to labor, of course the recently created federal employment service would be expanded and utilized, and it is possible that state and local services might also find opportunities for usefulness in this connection. Needless to say I am not at this point referring to the whole great question of the future policy of our governments toward the subject of unemployment.

It may easily happen that, in view of the manifest economic supremacy of this country and of the appalling world demand for the materials of rehabilitation, our industries will readjust themselves with such marvelous rapidity that there will be little need for government assistance either to capital or to labor.[1]

NATIONAL REGULATION DURING THE TRANSITION PERIOD

The powers of the national government to fix the prices of certain basic commodities and to regulate consumption and distribution have not been judicially questioned as war powers. Whether these policies can be legally continued in time of peace, even during the era of demobilization is open to grave doubt. They probably could not be sustained upon the ground I have advanced in possible support of action by congress in connection with military and industrial demobilization. The fixing of prices and the control of consumption and distribution have certainly borne direct relation to the raising and support of military forces and to the actual conduct of war; but they certainly bear a very much less direct relation to demobilization as such, or indeed to any power that the national government has been regarded as possessing in time of peace. It is barely possible that the power of congress to regulate commerce might be invoked in support of price fixing. Under this power congress has regulated the rates of interstate carriers and in effect the wages of some of their employes even before government operation was put into effect as a war measure. Congress has also established standards for certain commodities that may be shipped in such commerce. From these policies, sanctioned by the courts, the regulation of the prices of interstate commerce commodities may seem a very small step; but it is certainly one that would be vigorously fought both as policy and as law. It is simply a

[1] **Many evidences of this probability have developed since this was written. H. L. M.**

fact that, however broadly the courts have asserted the power of our governments, state and national, to regulate the prices of businesses "affected with a public interest," such regulation has in practice been confined almost exclusively to the distinguishable class of business popularly known as public utilities. Whether the courts are ready to sustain a new and very much broader application of an old broadly asserted principle remains to be seen if the policy is attempted.

If congress has the power to regulate the prices of interstate commerce commodities, it may perhaps be regarded as settled that the states have the power to regulate the prices of commodities that enter into intrastate commerce. Moreover, it is probable that the exercise of such power by congress would lead to some exercise of a similar power by the states. Price-fixing is, at best a politico-economic policy of highly questionable wisdom. Whatever theoretical arguments may be advanced in its favor, it is a policy that involves enormous practical difficulties. It can be justified only in time of great emergency. Our experience even in the realm of utility rate control has surely not been sufficiently happy to warrant, as a permanent policy, a wide extension of price control by government order. It may be, however, that a temporary continuation of this policy will be desirable if legal competence for its exercise can be found.

A recent utterance of Chairman Baruch of the War Industries Board, seems to indicate that the control of that great organization will continue "for some time to come." He is quoted as saying that raw materials made available by the reduction of war requirements and the cancellation of war contracts "will be released and *allocated* by the War Industries Board for use in supplying civilian and export demands." There is to be also only a "*gradual* lifting of the restrictions and curtailments that have been imposed upon industry by the exigency of the war."[1] It may be that such a policy will meet with general acquiescence by industry. But it must not be forgotten that the single minded purpose of the nation has been accomplished. Patriotism is no longer called to its highest form of expression. Industry will be restless, even rebellious, under government restraint. It may well result that the constitutional competence of the national government to "allocate" raw materials in time of peace and to lift restrictions only "gradually" will be drawn into question. Of course it is possible that the government may exercise a degree of control in this direction so long as government operation of transportation continues, although the rule of law is fairly established that even governments must in the operation of utilities furnish equal service to all who apply.

In all of this great problem, however,—important as it is—there is little, if any, question touching the subject immediately before us, the relation of the national government to state and local governments. The problem is wholly national, whether viewed in its constitutional, its legislative, or its administrative aspects.

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[1] Since this was written there are many evidences that the control exercised by the War Industries Boards is rapidly disintegrating. H. L. M.

Let us turn now to consider a few questions relating to possible public policies of a more permanent character.

GOVERNMENT OWNERSHIP

It is not my purpose to discuss the question of the policy of national ownership of the railways, the telephones, the telegraphs and allied utilities. This question will doubtless be fiercely fought in the immediate days ahead. In my opinion it is certain that congress is legally competent to acquire these utilities under the power to regulate interstate commerce and the power to establish post-offices and post-roads. Whether in the face of our stupendous national debt congress can see its way clear to raise the money for their acquisition and whether these utilities ought to pass over to government ownership as a matter of policy are wholly different questions. It seems fairly certain that these great arteries of the nation's economic and social life will never be handed back to private management under the system of public supervision that prevailed so short a time back. A discussion, however, of the economic, political, and legal questions involved in the future policy of the government toward these utilities is not germane to my subject. Whatever that policy may be it is manifest that the state and local governments will have little if anything to do with the matter. Under government ownership our state utility commissions will cease to function with reference to the utilities that are taken over. Even under a scheme of private ownership with government operation, or with joint government and private operation, the powers of these state agencies cannot fail to be greatly curtailed.

In respect to any proposal that may be advanced for the national ownership of the sources of industry, such as mines or waterpower sites, there would also be no question of state or local participation. Here again the competence of congress can scarcely be questioned, at least if the acquisition of forest lands by purchase may be taken as a precedent that establishes a rule of competency. Whether congress could acquire such properties by condemnation, as it probably could in the case of the railways and the other utilities mentioned, is open to some doubt. To the extent that natural resources or even industrial enterprises require development in order to insure the self-sufficiency or complete economic independence of the country, it is probable that the power of the national government is without limit. In the light of the lessons of the war, action in this regard could readily be sustained under the war powers of congress.

THE GOVERNMENT'S REGULATION OF CAPITAL AND LABOR

It seems almost inevitable that the so-called trust problem will be once more to the fore. Nobody is satisfied with the economic results of the Sherman Act, and the Federal Trade Commission has assuredly had no conspicuous measure of success—nothing comparable, for example, to that of the Federal Reserve Board in another field of control. It seems possible at least that our entire policy in respect to concentration in industry may be completely reversed; it will certainly be reconsidered. What is apparently needed is not so much government war upon concentration as such, but government war upon the evils of industry whether they obtain in concentration or in competition. It is impossible to forecast how this great problem will be met. It is certainly a national problem and not one that can or ought to be shared with the states. It is not a problem of big business only, and it is to be regretted that the sole existing constitutional avenue for congressional approach is the commerce power, which has well-known limitations in this respect.

With the discontinuance of war contracts and with the absence of opportunity to appeal to patriotism or to threaten direct government operation, the chief modes by which the federal government has maintained harmonious relations between capital and labor will disappear. What, if anything, is to be substituted? Compulsory arbitration is open to serious objections in point of policy, not to mention the grave doubt that exists as to the constitutional competence of congress to enact such a policy into law, even though the law applied only to interstate carriers and to those enterprises that ship products in interstate and foreign commerce. Harmony between labor and capital centers chiefly around questions of wages, hours of labor, and related matters. But neither labor nor capital is unqualifiedly enthusiastic about having these matters settled by law or by administrative action founded upon law.

There is one kind of legislation, however, that organized labor would unreservedly endorse and that capital would for the most part oppose. I refer to legislation that looks to legal recognition of and protection for the principle of collective bargaining. That statutory support for labor unions would strengthen the principle of collective bargain is unquestionable. Whether it would or would not result in greater harmony between capital and labor is perhaps open to some debate. In 1898 Congress evidently thought that it would so result, at least in the case of interstate carriers. But in 1908 the supreme court, being probably unconvinced, declared the congressional act to this end void. In the opinion of the court the act was not within the power of congress to regulate commerce, and even if it were, it deprived the carrier and the employe of that vague thing known as freedom of contract which is guaranteed by the requirement of due process of law. So, also, a state statute directed to a similar end was invalidated by the supreme court in 1915 because it interfered with this same freedom. And more recently still it has been declared that even in the absence of statute, labor union officials may be enjoined from attempting to interfere with the *status quo* arrangements of a closed non-union enterprise.

Although there were strong minority dissents in each of these cases, it is perfectly obvious that the majority of the court that shapes the course of the law is to date opposed to the proposition that any of our units of government should lend the aid of the law to the principle of collective bargaining. So long as this judicial attitude maintains its front, it is idle to argue that either congress or the state legislatures may lend statutory assistance to labor unions except through the narrow door of government contracts. Certainly congress cannot apply generally to the industries of interstate commerce a regulation that it could not impose upon the direct carriers of such commerce. How long this judicial front can or will be held is wholly another question. For the moment, at any rate, such harmony between labor and capital as can be created by legally strengthening the position of the union is interdicted. Neither congress nor the states can act.

THE CHILD LABOR DECISION

The recent veto of the federal child labor law by the supreme court arrests, for the time being at least, the movement for federal control over the standards and conditions of labor in the country. The court had previously permitted congress to advance from regulating the carriers of commerce to regulating the articles that enter into commerce; but the bars have been raised against any further advance. Congress may not regulate the kind of labor that may be employed in the manufacture of such articles, and presumably therefore congress may not regulate the conditions under which such labor may be employed—maximum hours, for example, or minimum wages—or the conditions of the establishments in which they work—sanitary or safety conditions, for instance. Here, then, is an increasingly important field that is still left exclusively to the control of the states. That the child labor law was defeated because of its potential implication as to future legislation by congress rather than because of its immediate specifications is beyond question. Indeed this was very nearly avowed with frankness by the supreme court. That the decision is the last word of the court upon this subject is extremely doubtful. But for the moment it stands.

I point to these restrictions upon the powers of both national and state governments in the matter of regulating labor and capital, not with a view to emphasizing a legalistic view of the situation. The law and the power of the courts are under our system of jurisprudence facts that must be reckoned with. When I hear talk about the democratization of industry by congressional action requiring labor participation in the management of plants; or the stabilization of industry by national control of raw materials, national taxation upon plants for idle days, and a national requirement that laborers shall be employed upon a yearly contractual basis; or the establishment of industrial peace by compulsory arbitration, compulsory recognition of unions, compulsory minimum wage scales, and compulsory maximum hours of work—when I hear talk of this kind, I cannot but wonder whether those who advance these proposals have any notion whatever of the legal difficulties that stand to be overcome.

Manifestly war conditions have taught both labor and capital many lessons of vital importance. It is not unlikely that their capacity for co-operation has been developed. It is also not unlikely that capital will accept certain innovations in the position of labor, in part because it has found them both useful and workable, in part because of their essential justice. Especially in this possible in the probable era of prosperity that is before us. But this is wholly a different thing from government action.

GOVERNMENT AID

I have already spoken of the possibility of national aid to industries or employes during the demobilization period. But the question of national aid presents larger aspects than this. Broadly speaking, there is nothing new about the principle of national aid, whether to individuals or to state and local governments and whether in reference to a subject matter over which congress has control or otherwise. Many promotional services in the departments of agriculture and of commerce have been established to aid private persons in their economic pursuits, although not by means of direct payments. We are familiar also with direct national aid to institutions for agricultural and military education, and with ship subsidies. More recently aid has been provided for the promotion of vocational education, for the building of roads, and for farmers, aid to the latter, however, being only in the form of loans. Congress has no express power to regulate or control agriculture, or education, or roadbuilding (except post-roads).

Large possibilities inhere in this method of bringing national pressure to bear upon certain economic problems as well as upon state and local activities. I can mention only one or two aspects of the matter.

The problem of compensation for industrial injuries is now fairly cared for by most of the states, and it is probable that the machinery of this service will be steadily improved. The principle has been accepted that the cost of industrial accidents is a cost properly known by industry itself. It is not so clear, however, that sickness, old age, and unemployment are proper burdens of industry as such. Are they not rather burdens which society as a whole should assume? And is it not appropriate that these burdens should be assumed by the national government rather than by our local units of government? We have no precedent for congressional action in such matters except the unrelated precedent of military pensions and the stupendous war risk insurance recently established. Congress certainly has no express power in the premises. But there is the general precedent of national aid to enterprises that are beyond the regulatory power of congress, and there is the fact already mentioned that no act of congress has ever been declared void on the ground that it imposed taxes for a private purpose. Proposals for the establishment of such schemes of insurance would be fought not only on legal grounds but also with the age-worn slogan of paternalism. Yet sooner or later, they are bound to come.

Especially would insurance against unemployment, if carefully administered, be an equalizing and stabilizing force in society. In connection with this it is manifest that employment upon public works in times of economic depression is a possibility not to be ignored. Now in the matter of public works our cities are our largest spending units. Congress has no control over them. But through the medium of financial aid to these governmental units during periods of depression congress could exert a large influence upon their activities.

Again, in the matter of education, particularly in its relation to the immigrant, it is high time that the national government should exert a larger measure of influence. I am aware of the fact that the policy of subsidizing local communities or institutions for educational purposes, whether employed by the national or the state governments, has not furnished a very satisfactory means of compelling compliance with standards and conditions. But there is no inherent reason why such a policy can not be made effective. It certainly offers at the moment the only possible method by which the influence of the nation as a whole can be brought to bear upon our widely variant and in many parts of the country wholly insufficient systems of education.

OUR FEDERAL SYSTEM RECONSIDERED

You are perhaps wondering—and not without reason—when I shall arrive at my subject, the *new* relation of the federal government to state and local communities. I have already arrived. I do not believe that there is going to be much that is strikingly new in this relation except in the matter of co-operative spirit; and even in respect to this latter we must not ignore the large amount of co-operation that has prevailed in the past between administrative agencies of the national government and corresponding agencies in the state and local governments.

In time of war when centralization of authority and immediateness of action are of the essence, the disadvantages of a federal system of government are obvious. But war is an abnormal circumstance. I hold no brief for federalism as a principle and still less do I hold brief for the rights of the states, either legal or moral. There is much that is arbitrary in our federal system and much that is annoying. The division of powers between the nation and the states is by no means ideal. But I am not ready to see our federal arrangement sent to the institutional scrap heap; and in this, I believe, I am one of a vast majority of the American people. For, wholly apart from the threadbare shibboleth of state against national rights, every thoughtful person must recognize that in a country as large and diversified as ours, a division of powers which leaves to the states an important sphere of autonomy has certain obvious advantages in normal times of gradual economic and political change. Perhaps the chief of these advantages is the opportunity which it offers for experimentation under the urge of a localized public opinion that does not have to wait upon the conversion of the entire nation to its hopes or its beliefs. Our states are notorious copyists. Politico-economic experiments, proved and unproved, improved and unimproved, spread rapidly from state to state. Thus do acorns of real or phantasmal reform, planted in a single state, grow into sturdy, if often asymmetrical, national oaks. I look for steady expansion of national powers; but I should regret to see this expansion accomplished by constitutional amendments transferring to exclusive national control a large number of the powers now exercised by the states.

NATIONAL-STATE RELATIONS

In this connection I should like to call your attention to a situation in respect to our national-state relations that is often misunderstood. In reference to legislation such as the federal child labor law we hear much talk about the national government's "invasion" of the sphere of state control, and the general impression created is that congressional action supersedes and wholly displaces state action upon the subject matter involved. Nothing is further from the facts. The positive regulations of the states remain untouched.

Suppose, for example, that the federal child labor law had been upheld. It provided fourteen years as the minimum age; and establishments engaged in the production of interstate commerce commodities could not employ a child under that age. Now suppose that the law of a particular state fixed twelve years as the minimum. Such a state law does not positively authorize the employment of children above the minimum set; it merely prohibits the employment of children under that minimum. It would be enforced as to all plants not engaged in manufacturing commodities covered by the federal law. It would simply be unnecessary to enforce it in plants that were so engaged because of the superior requirements of the national law.

Suppose, on the other hand, that the law of a particular state established a sixteen-year minimum. The federal statute would not enter such a state and authorize a lower requirement. In fact, if adequate enforcement of the state law be conceded, the federal law would be useless in such a state; for every plant that complied with the state law would of necessity more than comply with the federal law.

INVASION OF STATE CONTROL

It is manifest, therefore, that national regulations in such a field as this are in supplement of, not in substitute for, state regulations. They "invade" the sphere of state control only in the sense that they may prohibit in part what the state by inaction permits. They can not and do not permit what the state by positive action prohibits. Moreover, it is simply a fact that federal action, far from negativing or interfering with action by the states, is often a stimulus to increased state activity. There is no question, for instance, that both states and cities are far more active to-day in the matter of protecting the purity of food supplies than they were prior to the federal pure food legislation of 1906. They do not often duplicate the federal government's work; but they supplement it and co-operate. Under the impulse of federal example, they are spending more and acting more, even in what is for practical, though not for legal reasons, a more circumscribed field of operations. If it be true that no state or city can prohibit the sale of comestibles that the federal government does not shut out from interstate and foreign commerce (under the doctrine that the right to import carries with it the right to sell), it is also true that the state or city was powerless to prohibit such sale prior to the federal legislation. The national government did not, therefore, trench upon the powers of the states in this matter; rather did it occupy a field which the states did not and, under the ban of the courts, could not occupy.

In studying the relation of our national government to our state and local governments it is of tremendous importance that this situation be clearly conceived. What I have said is not true of every power that congress may attempt to exercise. When state bank notes were taxed out of existence, congress directly interfered with and in effect prohibited what the states positively permitted. And when the federal bankruptcy law became effective the state laws upon the subject were in effect, though not in form, repealed. But when congress acts under what has become its most expansile power for effectuating economic and social legislation—to wit, the commerce power—the effect is as I have indicated. We may rail at the limitations of this power; we may be sometimes discouraged at the brittle quality of its alleged expansile attribute when the firm hands of the courts take hold of it; but unless we are ready to scrap our federal system completely, we must recognize that the gradual and halting expansion of national activity under the commerce clause, receiving stimulus from, and giving stimulus to, state action of similar character, may in the long run be more satisfactory than a process by which one after another of the powers of the states should be exclusively taken over by the national government.

THE PROPOSAL FOR FEDERALIZATION

It is a curious fact that at the very moment when there is in this country some expectation that the powers of the states in our federal system will be greatly weakened as a result of war and after-war conditions, the proposal for federalization is being earnestly put forward in Great Britain, more forcefully than ever before—federalization, that is, not of the British Empire but of Great Britain and Ireland. It is true that this movement is prompted largely by the perennial Irish question; but it is receiving strong support also in point of principle and in point of political wisdom, upon the theory that a sphere of autonomy for England, Scotland, Ireland and Wales would relieve Parliament of some of its burdens and would foster a healthy spirit of self-dependence on the part of the several autonomous units. The world is at unrest. Let us not be enamored of change merely because we feel this restlessness.

NATION PLANNING

FREDERICK L. ACKERMAN
New York[1]

THE NATIONAL PURPOSE

IN this tremendous world war the areas of united action have expanded; the common good,—the aims of all free men have become vivid. And to nations, states, municipalities, to property, capital, credit, to groups, individuals and to the labor of brain and hand new values have been assigned which express our new concept of their relative worth as factors contributing to the purpose made vivid in this war.

And this purpose is the achievement of a state of true democracy, international and national, which assigns to the individual the highest value and yet demands that for the good of all he victoriously subordinate himself.

But *can* a national purpose in times of war differ from a true democratic national purpose in times of peace? *Can* the worth of the individual vary with the degree of vividness with which the aims of a true democracy are revealed?

The national purpose in times of peace and the national purpose in times of war must coincide; and the value of the individual cannot change simply because his worth is made more vivid by the call to arms. *As the truly national purpose is revealed it is the value of nations, of states, of property, of capital and credit which really shifts as we see more clearly their true worth as factors contributing toward a true democracy.*

And so, it is obvious, when we glance back to the pre-war days, that our function for the time being is not primarily that of developing a new technique of administration or government; it is that of making perfectly clear to the masses of men what is really meant by the term democracy. Our task is to present a truly rational philosophy of life in such simple terms and through the use of such simple illustrations as would demonstrate that it is not only logical, but highly desirable and entirely feasible to organize society,—that is, government, to the end that a true democracy shall obtain. If we fail to make the meaning of democracy perfectly clear, we shall have failed utterly in this great war. But can we formulate such a philosophy; can we make it vivid; can we retain the values now assigned to individuals?

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[1] Emergency Fleet Corporation.

It is thus that we have our problem stated.

And we must beware of danger,—the greatest of all dangers attending the formulation of a program of future action. Such a program is almost certain to develop into a labyrinth of uncharted paths leading to an infinite number of ends. This we must avoid; for the desired end is,—above all it must be, a simplification of life. For if our effort fails in this respect, if it adds but laws and statutes, it can have no possible value.

But we think of government in terms of law; and I realize that the subject of national planning cannot be treated without introducing debate concerning legislative, administrative and judicial technique, the private initiation of enterprise versus government initiation and control, and the ever present topic,—state's rights. But I do not propose to deal with the subject from these angles, for I fully realize that by such an approach we would completely and inevitably obscure the vital issue at stake; we would return by a circle to our point of departure.

The governments of the western world during the last score or so of years have extended their functions to include an ever widening field of collective provision. Should government express in the technique of its administration the entire range of purposes associated with the true aims of men, of society, rather than but a part? Shall we extend the function of government to include a wider field of collective provision? Should we not make collective provision the vivid function of government?

It is the development and the expansion of precisely this field which constitutes the basis of a liberal program of reconstruction.

But we were to discuss the topic,—National Planning. What has preceded may have seemed remote. It is not remote because of the simple, elemental reason that there can be no such thing as national planning so long as there is lacking a clear definition of a national purpose.

IS NATIONAL PLANNING VISIONARY?

To propose that we should set about the organization of the entire physical plan of the United States may appear as a visionary proposal. But, as individuals, do we embark upon any great undertaking,—as intelligent individuals, do we embark upon any undertaking whatsoever without first having prepared a plan, whether well reasoned or otherwise? We do not; and yet, with respect to the development of the United States, we are proceeding without a plan.

When we were faced with the actual problem of going to war in Europe, this condition must have been realized to a certain degree; for one of the first acts of the federal government was the placing of our railroad transportation systems under a single command. The necessity for this act was not questioned except by a very few. The obvious advantage, the necessity, was evident. The railroads were brought under one command: the federal government took over their operation. The problem of the future as we now view it with respect to the railroads relates to the nature of the policy to be continued after the war. Concerning that there will surely be debate.

But out of this unity of command, one important condition, at least, has been revealed. The railroads had not been organized,—their development had not been directed along such lines that it was possible to derive the maximum benefit from unit control; For they had been planned and projected with quite another purpose in view. And that purpose was the speculative profits to be derived from their promotion, the development of new areas, and from state and federal land grants. Their organization was not based upon any comprehensive plan of national economy nor the hope of more adequate collective provision. Particularly is this true with respect to our long competing lines which tap territory contributary to each, to the lack of adequate terminals and transfers at strategic points inland and upon our seaboards, to an utter lack of co-ordination with inland waterways, and with respect to the development of commerce with other nations, and to the complex and wasteful conditions surrounding their entrance into our cities where we utterly ignore the economic distribution of commodities and food to our urban populations.

We have made but meagre use of our inland waterways. Railroads have worked in opposition to the development of these natural carriers. Transportation by water has been, for the greater part, abandoned.

It is really the central planning—the scientific, physical organization—of our railroads and the intelligent direction of their future growth and development and not their ownership and operation which should be the subject of our greatest concern. The errors resulting from their hasty, ill considered projection must be corrected before we may hope for real economy or real efficiency, in their operation.

We may glibly state that it *is* the duty of a certain state or a certain city or a certain corporation or a combination of the three to organize and provide for a system of transportation with great terminals to more adequately provide for a need that is national: but that does not necessarily lead to accomplishment. *Matters of this sort are developed locally to the extent that the local needs are recognized; and the scale of such developments are local and not national.* The subject is too large to be directed by other than the federal government itself. This is not a matter of theory; experience indicates clearly that neither corporations municipalities not states can direct an enterprise of this magnitude; self-interest is too blind or ignorant to achieve a truly national scheme.

THE ARTIFICIALITY OF STATE BOUNDARIES

It will be argued that the value of local initiative in matters such as we are discussing is essential. There is reason back of such a statement with respect to details; but we must not let that blind us to the tremendously important condition that the geographical divisions into states expresses merely a line upon a map, bearing no relation to physical geography and little or no relation to present or future social groupings. *These state lines are artificial political boundaries which must be completely ignored in the organization of the physical plan for the economic use of the entire area of the nation.*

We must recognize that the areas associated with the term "local" are constantly expanding. The many modern mediums of communication,—the telephone, the telegraph, the "wireless," the railroads, the automobiles, the aeroplanes, the press,—all these have extended the boundaries of our contact with men and things. The effect of individual or group action has so changed and expanded through the development of these means of intercommunication that the old formulas relating to the value of "local" initiative must be completely restated.

And precisely the same condition applies to the physical relation of our cities and their states: The boundary is a political boundary,—artificial both with respect to physical geography and social groupings. Here, again, we must break down that condition which obtains in their governments which blocks a broad, comprehensive consideration of the problems surrounding their physical planning and their physical and social integration. There must be created a central authority to deal broadly with the tremendously important problem of physically linking up municipalities in states and in adjacent states, and the future use of the areas located between them must be planned prior to occupancy in order that the same shall be developed in a manner consistent with each area's logical use. To allow our cities to expand along lines determined solely by the intensely local purpose of the land developer or by selfish local interest is to lay upon our future an ever accumulating burden of costly corrections which represent an utter economic loss.

COMMUNITY EXPANSION

The purposeless way in which our communities expand has been made too evident to those engaged in the development of housing schemes for the government. In not a single community where shipbuilding plants have been established was there in existence a forward looking plan for future growth which could be used as the basis of the housing schemes for ship workers. There was no time to plan the adjacent areas nor to overcome the lack of prevision; and so, one and all, these new communities represent the hopeful organization of a patch upon a condition of near chaos in town planning.

Consider the immediate problems confronting our cities; note the many schemes prepared for their re-planning; consider the cost of these and also consider the nature of the hoped for result. In New York, Philadelphia, Chicago, Boston; in the smaller cities throughout the states we are confronted with the same problems. At an enormous cost we propose no more than a partial correction of our errors; we add mechanism to mechanism in the hope that a better condition will result. Excellent as is our intention in the preparation of these schemes, the fact remains that they are, in effect, as a bit of salve where a major operation is necessary. We must increase the scale of our operations and deal with larger areas. All of the factors affecting the growth and development of our cities must be taken into account in their planning and their re-planning.

We can, now, with a reasonable degree of accuracy, project the very remote needs with respect to provision for the entire Atlantic coast. Harbors, ports, the necessary supporting agricultural areas may to-day be projected. Why not organize the outlines of a plan for the development of this entire area? Why not deal with the entire national problem? Why not proceed from now on with a plan which looks toward permanence rather than instability?

The physical planning of the nations is first of all and supremely an act of prevision; it is the organization of prevision, social and physical; it is essentially a scientific treatment of the whole. And this can be accomplished through but one central authority representing not the needs or desires of individuals, corporations, cities or states, but the needs and desires of all.

I do not imply that it should be the function of the central government to provide in *all* its detail the future growth and development of each and every part of the United States, but I do suggest,—I state emphatically, —that a central authority must take upon itself the task of directing the major outlines of such a plan, for in no other way is it possible for us to adequately and economically develop the smaller areas which should and must be left to local initiative after the broad plan of development has once emerged.

THE INADEQUACY OF ECONOMIC FORCES

In answer to the argument that economic forces will, when left to themselves, develop such a plan, I would but point out the inadequacy of our port and terminal facilities along our seaboards. Consider the situation around Philadelphia. Here is a harbor of real value locally and nationally,—a harbor sorely needed at this time and essential to the future commerce in which we should engage. The building of piers, of docks, and the sundry other elements essential to a harbor have not been developed by local interests nor are they likely to be; but if these should be developed, they will not make a great port for the simple reason that the conditions which must obtain to make Philadelphia a great port lie entirely without the authority and control of that municipality. The great lines of transportation now pass around Philadelphia and do not reach the harbor; the waterways which might serve the ports and the entire region to the north and to the west have not been developed. Philadelphia will not become a port in scale with national needs until a national authority fosters the development of the more remote conditions essential to such a development.

Scan the coast of the United States; where are there adequate port developments in scale with the nation? These do not now exist nor will they exist until a truly national authority defines the problem, projects the future national needs, and proceeds with the development of a plan having that organized purpose in view.

But a *truly national* plan must be organized about a *truly national purpose.* Therefore, what should be that purpose? Upon what theory, and by the aid of what experiences shall we direct the organization of the grand plan for our national development? What shall be the central idea?

Shall our plan for developing our railroads, main lines and branches, our inland waterways, our highways, our ports and our terminals and our industrial and agricultural areas be predicated upon the belief that we may go on expanding our cities indefinitely, massing together great populations engaged solely in commerce or in the fabrication of materials? Shall our great national plan lead up toward an ever increasing congestion of population, toward a more complex and artificial life? Shall we carry over into the days of future growth our concept of life as so vividly revealed in the manner in which the majority of men live in our great cities and in our industrial centers?

If we base our national plan upon such a concept, our plan will not be worth the making. What our soldiers will think who come back from war-spent Europe I do not know; but if I may venture the guess, they will insistently question, as we now question, the value of that stupid, depressing environment which we created by our purposeless effort in the pre-war days.

THE RESTLESSNESS OF LABOR—ITS MEANING

We do not have to await the return of the soldier from abroad. The mass of men have already voiced their opinion: not in terms defined and coherent, but in the restlessness attending employment. The mass of men were not content before the war, nor are they content to-day; and one of the reasons,—the outstanding reason—is not a question of wage so much as it is the nature, the character, of the social and the physical environment in which they live,—an environment produced by their own labor.

Look at any of our great industrial or commercial centers, and observe closely how the mass of men live; observe what they do during their leisure hours. Is it any wonder that there is discontent? Why should this great mass of men who live in our slums and tenements and in our "factory towns" be contented? There is no valid reason; for the visible product of their labor is neither pleasing nor permanent and it effectively suppresses every natural instinct. They work, one and all, at the making of cheap, temporary things, which in turn produces the cheap, unstable environment in which they live.

Take, for example, any recently developed industrial town of the East or the Middle West which has sprung from a tiny center in less than a score of years. The capital, the wealth there created by labor in the vast majority of cases finds no reflection whatsoever in the physical expression of the community: there are the factories,—ugly and uninviting; the groups of houses likewise ugly and ill arranged; the system of streets organized, if organized at all, upon the basis of the gridiron plan with little or no thought of the possibilities of future growth; look at them,—mere organizations of temporary things, built with the definite end in view that they shall be scrapped in order that someone may gain the increment of value resulting from occupancy and communal activity. Can we stand the economic loss due to the insistent demand for frequent "turnover" of capital invested in the homes of the people? Most emphatically we cannot,—if we hope to hold a leading social and commercial position among nations whose purpose is otherwise.

Can we go on multiplying the complex problems resulting from makeshift planning, such as is evident in Greater New York and in every large city in the United States? The newly opened subway station at Broadway and Times square typifies the direction of our so-called progress which is in the main but lack of prevision.

FUTURE DEVELOPMENT OF STATES

If we are to have a plan for the future physical development of our cities, we must have one for the future development of our states: if we are likewise to have a plan for the future development of our states, we must have one for the future development of the United States; and that plan must be organized around an acknowledgment that life, as now expressed in our centers of population, is an empty life for the vast majority of men that is not worth the struggle.

And so it is that in our nation planning we must choose as our central theme the idea that the work, the labor, the creative effort of all men shall have as its end the creation of as high a type of environment for *all* men as it is possible for us to conceive. We must organize our communities.

not with the idea that the home and its related communal features shall be shifting things which are ever to give way to the encroachments of industry and commerce, but as permanent elements,—*the* permanent element which must remain and around which the processes of production shall revolve.

This idea is not new. We have taken the first step; we have already begun to district or to zone our cities. But how timidly and how unscientifically have we done this! With what pains have we developed a compromise! And yet, even our timid, unscientific compromise is of value, for it indicates the acceptance of a rational idea with respect to the goal to be achieved.

The difference between what we have accomplished and what we should accomplish is largely a matter of scale. Shall we attempt to make life merely bearable,—tolerable,—or shall we strike out boldly with a program which will look toward making life for all men truly satisfying? No less than this shall we attempt to do.

But what does this mean in terms of national planning? What are the essentials of the problem? *It means, first of all, that we must deal with the land question with respect to both rural and urban areas.* The increment of value created by collective occupancy and use must be wrested from the speculators and so organized that it may be used for the benefit of all. This is a first step which must be taken before the national physical plan can be realized in terms of collective provision.

It means also that we must accept a new concept with respect to what we term the town or the city.

GARDEN CITIES

The principles which we use in districting our cities with respect to height, volume and to the occupancy of building is at bottom the same as that which underlies the development of Letchworth, the first garden city in England; the application of this principle differs merely in technique and in scale. The Letchworth ideas include the application of districting prior to occupancy and the development of the increment in land values. Our method is that merely of compromise,—after it is too late to reap the benefit of action. The Letchworth idea again deals with large agricultural areas. We confine our action solely to already congested centers of population.

We must increase the scale in our application of this principle to include the treatment of rural as well as urban areas. A broader point of view, a new sense of scale we must achieve; for we are not dealing, in this national scheme, with individuals, with groups nor with a hundred million of people. Two hundred, three hundred, four hundred millions of people,—the future generations—are involved in our program. If we fail in this, the agricultural lands required for the maintenance of our population engaged in commerce and in manufacturing will give way to the inroads of the latter.

National planning must include in its scope the application of the districting idea over all areas likely to be developed. This requires the development of regional surveys far more comprehensive in scope than anything yet attempted. The physical resources and the possible economic development of each and every part of the entire area of the nation must direct the outlines of our plan.

EXTENSION OF ADMINISTRATIVE POWERS

But how shall we accomplish this? How may we proceed? What shall be the framework of the organization to carry on this vast undertaking? In terms of administrative technique I shall not attempt a detailed answer. But I will suggest that by nature the problem requires the extension of administrative powers and more "liberal" judicial decisions; that we cannot deal with it through mere legislative initiation nor the exercise of police authority nor by impotent citizen commissions. There must be permanent, central executive agencies, municipal, state and federal, to deal with matters of this sort and to serve as the focus of experiments and of the knowledge gained in practice. These agencies must be expert and liberal. In our municipalities, their physical organization is generally in the hands of the city engineer. When it is proposed that the city's physical arrangement be changed or works of importance developed, there is usually appointed a citizen commission, oftimes unpaid, which is empowered to employ experts. These citizen commissions generate some interest and public sentiment, but they rarely possess power: they render their report to a non-technical legislative body and pray for favorable action. Sometimes such action follows; more often the report is tabled. So it is with our states; and as for the nation, there is no single body charged with the duty of surveying the conditions and organizing the physical element into a plan expressive of unity of purpose.

We have left this tremendously important problem suspended, as it were, in mid air. It is really the business of no executive authority to look after matters of this sort. There are functionaries with little power: but there are no administrative cabinet advisers to deal with this problem and to press upon the executive and the legislatures of our cities or states or the nation the importance of action and direction; and what is of equal importance, of bringing to a focus the result of experience, and experience with this field. For upon the result of experience, and upon comprehensive surveys must the nature of all legislative action depend. And here we must enter a new field. Constructive legislation, so-called, must largely supplant restrictive measures. *The control and direction of credit must serve as the motivating power in developing the outlines of the plan in reality.*

Survey our environment as disclosed in our centers of population; note the utter lack of forehanded planning; note the jostling crowd of structures,—commercial, industrial, residential,—built as taxpayers awaiting the arrival of the appreciation of land values. Note the short-lived, ugly contractions which we devise to provide for suburban transportation; the jumble of steel shapes and galvanized iron occupying our streets and what could have been, through the exercise of a little foresight, the open spaces in our plan. Note our pre-empted water fronts.

What is our outstanding impression? Is it not that all these elements which comprise our cities are temporary and makeshift? Surely we *cannot* mean that these contrivances are permanent. If we do, what an expression of permanence!

No! We do not consider them permanent; they were projected in haste to meet an immediate need,—a need arising out of our lack of prevision and foresighted planning; and we expect to scrap them.

But why should we scrap these things,—our communities? Why should we thus constantly waste the capital which is the product of labor, thus invested? Why?

Because we have not thought this problem of organizing our environment through to a conclusion: because we have made no mature plans based upon accurate and comprehensive surveys of immediate and projected need.

WASTE OF CAPITAL AND LABOR

Can we continue this process? Can we continue to waste our accumulating capital and our labor in building temporary buildings, temporary cities? We cannot: we have already reached a point where it is of vital importance that we conserve our man power as well as our other material resources; we must make every stroke of our hammers count.

Nor can we afford,—we cannot possibly afford to allow our labor to remain in idleness during extended periods as we have in the past. Of all losses, individual and national, the loss of labor is the least excusable.

With comprehensive plans before our cities for their orderly development; with plans before our states and before the nation looking toward the future organization of the major elements; and with a formulated plan for the use of the credit of municipalities, of states and the nation, it would be possible,—it would above all be feasible to assume that the use of labor in the provision of these elements could be so organized as to make it utterly impossible to run head on into periods of depression with the attending want and the bread line.

This is the key to the entire problem. It is the intelligent use of capital, the credit of our municipalities, or states, of the federal government, which must be made the creative agent in establishing the framework of the national plan.

For this very purpose do we now use credit. It is the principle which underlies the operation of the Farm loan board. This represents, however, but a tiny fragment of a comprehensive plan of action. It is, however, a significant fragment, for it establishes the principle that the direction of national credit is necessary to counteract the forces which gather about the use of capital lodged in the hands of groups whose interests are individual and local and whose acts, based upon selfishness and economic fallacies, develop conditions which are anti-social.

There is no greater fallacy than that expressed in the warning not to tamper with the great natural economic currents. Natural economic currents have not existed since the dawn of the most primitive civilization.

But what do we mean by "economic"; do we really know? Has the term a definite meaning? To me, as it is now used, it is but an apology, an excuse, a scientific curtain which we draw to conceal our selfishness.

We know too well the waste in life exacted by our industrial system, our system of credit, by our lack of prevision, by the sordid, unsanitary conditions under which a vast number of our population live, and sometimes our spirit rebels. We are filled with a great sympathy and an earnest desire to help; but we are halted in action by an influence, a power, which says: "thou shalt not," for such action would not be "economic"; which is the same as saying that the moneys invested would fail to return a certain fixed per cent. We have chosen the wrong norm of measuring values in the western world; "economic" we associate with invested capital and interest return when we should associate it with values related to life.

And so it is that in the technique of reconstructing old cities and in developing the new, and in linking them up to the natural resources and the great agricultural areas still to be really developed, and which must be maintained to make life possible, new laws, new administrative methods, new systems of credit may be of little avail. Again would we develop congestion, the slum and soulless industry just so long as our "economic" norm of measuring accomplishment is associated with the narrow financial meaning surrounding its present use. The term "economic" must be based upon a condition associated with life and not with money.

Utopian, impractical, a dream! Why? Does it so appear simply because this concept of basic values does not happen to coincide with that in common use? That is no sufficient reason. We may develop all sorts of motions which similate forward movement in the attempted execution of our program of reconstruction; but we, the states, the nation and the entire world will mark time in the march of human progress so long as we cling to the fallacies surrounding the use of this term.

PUBLIC EMPLOYMENT

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THE OLD AND SIMPLE CREED OF POLITICAL ECONOMY

MEN of my generation who in their youth entered upon the study of political economy found already prepared for them a perfectly clean-cut system of dogma which may be briefly summarized as follows: "The individual is the unit of society. Each person by pursuing his own interest arrives at the goal for which his talents and aptitudes best fit him. Capitalists compete with one another and the most efficient producer of goods survives. Laborers compete with one another and each receives a wage which is accurately adjusted to the value of his labor as determined by supply and demand. It follows from this line of reasoning that prices, wages, and conditions of living are not matters of concern to the government and that the sole function of the state is to draw an iron ring about the individuals battling for their respective rewards, keeping the peace within the sphere of liberty thus delimited. The grand result of the untrammeled individual quest for success is inevitably the greatest good for the greatest number, perfect liberty, social harmony, universal well-being, utopia."

OUR LITTLE SYSTEMS HAVE THEIR DAY

This theory of political economy was exceedingly attractive to my youthful mind. Indeed it seemed to appeal irresistibly to all those who like simple finality and who enjoy sinking back into comfortable and effortless security after having recited their creed. The only trouble with the splendid scheme of logic lay in the fact that the world persistently refused to walk in the ways prescribed by the doctors of political economy. Capitalists insisted on combining, and laborers insisted on forming unions and thus there was built up within the state two great powers, each of which exercised a marked influence on the course of public policy. Moreover, the government, which was to do nothing but act as a policeman keeping order among individuals battling for their respective rewards in this world's goods, found itself, in spite of the best of intentions, compelled to undertake work which, according to the doctors of political economy, it was physically and mentally unable to do.

GOVERNMENT WOVEN INTO THE TEXTURE OF OUR ECONOMIC LIFE

Indeed the most striking feature of modern politics is the steady increase in the number and variety of governmental activities. It makes no difference what party is in authority. It may be the party of Hamilton and nationalism which was early committed to the doctrine that the powers of the general government should be used freely and generously to protect, assist, and encourage private enterprises; or it may be the party of Jefferson and the New Freedom which, traditionally at least, is committed to the principle that the government which governs least is best. Each party cries out at the type of interference devised by the other and proceeds to propose its own lines of intervention. Democrats solemnly inform us that a protective tariff is unconstitutional and proceed to create a commission of experts presumably for the purpose of discovering what kind of protection is good for the country. Leading Republicans disinter Herbert Spencer's Mid-Victorian doctrines of individualism and publish them to mankind as the latest word on sound politics and then solemnly warn us that unless we have government intervention in the form of a protective tariff, labor and capital will perish from the United States. Democrats defend the government's use of power to establish an eight-hour day or higher wages for chosen workmen and then decry as outrageous the government's interference in the form of a tariff, theoretically favoring the maintenance of a high wage standard in American industries. New York city property owners protest in the name of liberty and humanity against orders requiring them to install fire prevention apparatus, and then turn around and demand in the name of good city planning the protection of their property rights against encroachment.

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To speak concretely of developments, before our entrance into the Great War the congress of the United States established an eight-hour workday for certain railway employes and created a commission to observe its operations—presumably a commission of men charged with the slight duty of mastering the mysteries of railway operation within a period of a few months. It created a shipping board with extraordinary powers in the matter of building up a national merchant marine. It passed a federal employes compensation law and authorized a commission to administer its provisions. It founded a farm loan board to engage in rural banking and be responsible among other things for learning the technicalities of agricultural economics. It appointed a committee to study the whole problem of government ownership of railways. It enacted a cotton futures law, a grain standards law, and a warehouse law, all calling for expert knowledge of broad domains of private economy. I shall say nothing of such light matters as the interstate commerce commission, which had control over all the intricate processes of common carriers, of the federal trade commission, of the work of valuating railways, of pure food laws calling for experts in chemistry and bacteriology, or of state and municipal enterprises demanding the highest talent in every branch of science and economics. Moreover, I shall say nothing of the war measures, of the war industries board, war risk insurance, the United States housing bureau, the war trade board, and the league of nations.

We may differ among ourselves as to the wisdom of this or that act or this or that type of intervention and undertaking, but we know that most of this new governmental functioning is not the product of Democratic perversity, Republican paternalism, or Socialist vagaries—it is the product of our industrial civilization. It may be diminished here or altered there, but it cannot disappear unless we return to the hand loom, the stage coach and the tallow dip. I may be wrong, but I believe the day is past when any organization of capital or labor will be permitted without government intervention to paralyze or even tie up indefinitely any one of the great industrial processes upon which the life of the people depends. If this is true, then the government has ahead of it more staggering enterprises than any that it has yet undertaken.

GROUPS OF LABOR VIEWED FROM THE STANDPOINT OF RELATION TO GOVERNMENT

When we come to face therefore the facts as contrasted with the theories of modern government we find ourselves reluctantly compelled to confront the whole area of industry and employment in all of its varied phases, especially with reference to conditions of labor and factors of efficient production. The Great War has only emphasized what close observers have long known, namely, that the organization and mobilization of labor is the heart of the whole problem of industrial efficiency. Viewed from this standpoint all labor comes into one of three vital relations to the government:

1. Those engaged in purely private enterprises, such as garment-making, boot and shoe-making, and the like. With regard to this group, the relations of the government to private activities are somewhat remote but nevertheless real because the government must prescribe the conditions under which labor and capital can be organized and strikes conducted. This inevitably involves an attitude and a policy. The government can create legal and police conditions which will readily break strikes no matter how well organized, or it can assume an attitude which though apparently impartial, will facilitate the effectiveness of the strike as an instrument of economic coercion. The future position of the government with regard to this matter will undoubtedly be controlled in a large measure by our standards as to employment conditions and will in turn profoundly affect the course of industrial evolution. In other words, whatever that policy may be it will produce reactions that will alter it. Moreover, as the number of persons employed directly by the government increases the principle of marginal utility will apply and the wages paid, and the conditions established by the government will materially affect the wages and standards in purely private enterprises.

This, however, need not concern us here but it must be taken into account by those who attempt to deal in a large way with the problems of public employment.

2. Without stopping to consider that a very large group of workers employed in mines and basic industries enjoying special advantages through a quasi-monopolistic command of natural resources which will no doubt bear an increasingly significant relation to the government in the future, we may take up next in order of their public relationship the millions of workers employed by the railways and public utility concerns throughout the United States. Such workers fall in a special class because the income of their employers is subject to public regulation and control. Although up to the present time we have viewed the regulation of utility rates largely from the standpoint of service to consumer, it cannot be doubted that we shall be shortly compelled to take into account the wages and conditions of labor which will be determined by the rates fixed. Indeed the time is now arrived for this consideration. In the face of rising costs of labor and materials the low rates granted to utilities are beginning to react in the form of poorer service. When the demand for better service is made utility companies reply that they cannot improve service without securing better labor and that they cannot improve labor conditions unless they can charge rates that will admit of higher wages; and so we revolve in the vicious circle. Nevertheless, when all is said and done we are face to face with the fact that wherever the government, national, state, or local, regulates rates it does by that fact assume moral responsibility and actual responsibility for labor conditions and to that extent also it must have a positive labor policy. This seems as unescapable as the axioms of the multiplication table.

3. Finally, we come to that growing army of persons employed by the government directly. On the eve of our entrance into the Great War a competent engineer, Mr. J. L. Jacobs of Chicago, estimated the number of civil servants employed by all governmental divisions in the United States at a figure between 1,880,000 and 1,980,000. In a short time we shall have two million regular government employes—a number equal to almost two-thirds the white population of the United States when the Republic was established. This number was about doubled by the government's assumption of the management of the railways and at least 300,000 more were added by the taking over of the express, telephone, telegraph, wireless, and cable systems. No doubt many will find comfort in the thought that this latter aggregation of workers will return to the sphere of private enterprise after the war, but such will do well to remember that the Adamson law was enacted in 1916 and that these workers, on the return to private ownership if it comes, will all fall within the second group mentioned above, namely, public utility workers whose wages depend in the last instance upon the rates fixed by the government—national, state

or local. Not even the most venturous have suggested that transportation and utility companies should be permitted to fix any rates they please. Shippers and the general traveling public would not allow that, even if organized labor had no voice in the matter.

ELEMENTS OF A CONSTRUCTIVE POLICY

It seems, therefore, whether we like it or not, that we are driven by the irresistible forces of circumstances to face the necessity of developing a governmental labor and employment policy extending far beyond our ordinary concept of the merit system in civil service.

In analyzing this problem into its elements the following matters imperatively command consideration:

I—Recognition on the part of the public of the vital character of trained technical service. The public must be educated to appreciate the necessity for trained and expert leadership especially in the higher ranges of public administration, because, next to the increase in the number of public employes the most striking fact in modern politics is the variety and complexity of the burdens we have thrown upon public employes. They must be proficient in all the known sciences; they must master the intricacies of industrial and transportation technology; they must be proficient in chemistry, bacteriology, engineering, economics, accounting, finance, and all the difficult branches of public administration. A few generations ago, a president of the United States could truthfully say, "The duties of all public officers are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance." Contrast this genial assumption with technical facts of modern administration. The trained technologist and manager is the keystone of the arch. This was fully recognized by Lenine, the leader of the Russian Bolsheviki, in his remarkable speech before the Russian soviet at Moscow last March, in which he took the position that without expert accounting, managerial, and technical service the whole structure of social democracy would crumble to dust, in spite of the loyalty of the proletariat and the moral enthusiasm of the idealists. Surely this is a wholesome warning to those Americans who in their self-sufficient ignorance propose to conduct government without experts.[2]

II—Reconstruction of civil service along lines of sound employment administration. With a public educated to a full appreciation of the place of technical service in modern government we have the following tasks before us: (1) So ordering our civil service that men and women can find careers in it, rising from the humblest positions to the highest and migrating from city to city and state to state with the course of enlarged opportunities; (2) standardization of salaries and grades; (3) the establishment of institutions and courses of instruction to train for the opportunities in the public service provided by an enlightened public; (4) provision for the continuous training of those admitted to the lower ranges of the public service while they are in the service, thus preparing them for progressive advancement according to their talents and aptitudes, thus opening careers to ability all the way from the grade school to the highest technical position in the country; (5) the development of a science of public administration in all of its branches to take the place of that pseudoscience of administrative law which is in the main a guide to the art of administrative nihilism.

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[2] The author does not overlook the fact that the arrogance of many self-constituted experts is partly responsible for the decredit that has befallen them in some quarters.

III—Transformation of our civil service commissions into employment administration departments, charged not so much with the duty of keeping rascals out as with the infinitely more important task of getting efficient workers in. Our commissions should become genuine recruiting agencies prepared to supply the government with the type of service needed at any moment, with maintaining a loyal personnel, with working hand in hand with educational leaders, organized labor, and public employment bureaus. If it be said that politics in the low sense will make this impossible, my reply is that in the present crisis of the world, politics of the old and evil days must become impossible. Whoever is not prepared for that is an enemy of America.

IV—The right of public employes to organize associations other than those purely benevolent in character. This implies the right to elect agents and deal with the government as ordinary unions deal with their employers. A necessary corollary of this is the right to affiliate with unions of specific trades and finally with general federations. Inevitably this involves the right to exercise political and economic coercion, to strike and picket. Already the signs of a movement in this direction are apparent among certain groups of federal employes and some city employes.

It is, of course, easy for an excited patriot to declare flatly that public employes should never have the right to strike. It is certainly shocking to think of the post-office employes laying down their mail bags and walking out, and it might be easy in the present stage of our political development to forbid such action under drastic penalties. Nevertheless, with the growth in the number of public employes, their increasing organization and their tendency to affiliate with other labor organizations, it is hardly to be doubted that we shall have to face in the field of public employment something more formidable than the ordinary association that annually beseeches congress for an improvement in the conditions of employment. It is not what would be ideally perfect, or what would meet our personal convenience most happily that we shall have to consider, but rather, what balances, compromises, co-operative adjustments, and moderations of forces we can best make for the public good. Those are the truly wise who reckon with their host. If public employes are denied the right to organize and to use coercive measures, they must then leave their fate entirely in the hands of a benevolent legislature; and it must be said that the wages and hours of many public servants are not such as to convince a close observer that the government is always a benevolent employer. But that is not all. Assuming for the sake of argument that the government could be counted upon to be as benevolent or even more benevolent than private employers, experience has shown that the growing spirit of the independence among those who labor calls for a participation in the social process other than that of drawing the pay check. It is not benevolence that America stands for. The Hohenzollerns were benevolent in times of peace; the spirit of America is the spirit of self-government and any scheme of political economy which leaves the spirit of the people out of account is not well founded. By the careful use of such powers of observation as we can command and the use of such natural reason as is vouchsafed to us by Providence we seem driven to the conclusion that our governments, national, state, and local, must be prepared to deal with large bodies of powerfully organized labor, with potential coercive powers to be restrained not by legislative fiat but by the spread of the co-operative idea and the adoption of co-operative policies in public employment.

V—Closely related to the subject just mentioned is the problem of a more reasoned policy with regard to the political activities of public employes. This question falls into two rather distinct parts, namely, in what political activities bearing directly upon their hours, wages, and conditions of employment may public employes engage; and secondly, in what political activities relating to the general issues of citizenship may they participate? We now have an ill-digested mass of federal and state legislation and executive orders on these matters which, on examination, reveals no consistent public policy. We see women discharged from employment for advocating woman suffrage, on the ground that such advocacy constitutes political activity.[3] On the other hand, we find men in public employment in our states running for the legislature on the Socialist ticket and at the same time retaining their positions. Shall a man be discharged from public office on account of his advocacy of a single tax, antivivisection, or the short ballot? Are we to exclude from political life thousands of our best men and women, to deprive them of the right to participate in the affairs of citizenship not merely passively by voting but by open and honorable advocacy of public policies? Obviously this is a question not to be answered lightly, but it must be answered. With the increase in the number of those in government employment a negative answer becomes impossible.

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[3] It is fair to say that the accuracy of this statement has been challenged and that there has been no time to make an exhaustive examination of the charges and answers. C. A. B.

To sum it all up, how can we make our science of government a true science of administration rather than a device for distributing party spoils, and how can we, at the same time, retain and develop those democratic ideals which we have thought worthy of this great nation? Indeed, it may be that we shall very soon be compelled to answer a still more significant question, namely, how well prepared is the government to aid in the substitution of co-operative mediation between producer and consumer for the mediation thus far furnished by business men alone? Those who cannot bear the light had better not lift the veil.

PROBLEM OF RECONSTRUCTION WITH RESPECT TO URBAN TRANSPORTATION

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WE have reached a crisis in the street railway business. The crisis has been hastened by the extraordinary prices of labor and materials and by the scarcity of capital incident to the carrying on of an unprecedented war in an unprecedented way, but its origin lies much farther back. It is doubtful whether the close of the war will restore normal conditions in local transportation, and even if approximately the old conditions should be brought back it will not be easy for the street railways to recover from the severe financial distress of the present time. It is like a long spell of sickness with a man who is past his prime. The street railways may "get around again," but they will "never be quite the same" as they were before. Only the other day at the conference of the American Electric Railway Association in New York city a resolution was introduced by the president of the Milwaukee Electric Railway & Light Company and referred to the executive committee of the association for consideration and report, setting forth the present status of the street railway industry from the companies' point of view and declaring in favor of the public acquisition and the future public operation and development of the street railways of the country. It cannot be doubted that the street railway companies are suffering from some desperate malady when the cause of municipal ownership begins to get recruits in these high quarters.

THE FIVE-CENT FARE AS THE BASIS OF SPECULATION

The traditional fixed five-cent fare with general free transfer privileges has heretofore been the chief bastion of the speculative line of defense in the street railway business. The municipality, without transit initiative, generally without transit powers, has said to the street railway promoter: "Here is a franchise to use our streets. You may charge five cents a ride. Go to it and make what you can." That looked good to the promoter, and so he established a stock and bond factory for the purpose of carrying out his speculation. It must be admitted, I think, that in the development of street railway systems and the corporations which control them in this country, the idea of public service has generally been incidental. The driving force, the motive that has negotiated franchises, engineered leases, consolidations and mergers, and piled Ossa on Pelion in the organization of holding companies, has in the main been the desire for illegitimate profits. I do not refer in this connection to the superintendents of transportation and other members of the operating forces, but rather to the financial magnates who deal in traction securities and exercise ultimate control over street railway policies from the private point of view. These gentlemen reside in the financial centers of the country and in their manipulation of street railway properties represent all the evils of indirect, unregulated, absentee ownership. The application of the gambler's motives to the control and manipulation of street railways has resulted in almost universal overcapitalization, inflated claims of value, and reckless financing. The street railway business is now on the rocks. The speculative régime has proved to be a dismal and deadly failure.

WHAT STREET RAILWAY COMPANIES SEEK TO ACCOMPLISH DURING THE WAR

In the present era of financial distress, when it is evident that there is no future for speculation in street railway enterprises, the public service corporations are seeking to save themselves by accomplishing three things:

First, the definite abrogation of their contracts with respect to rates and fare limits.

Second, the definite public recognition of their capitalization and earnings prior to the war as not excessive.

Third, the definite shifting of responsibility for wage increases to public agencies, with the corollary that the bill is to be passed on to the ratepayers.

Everybody is sick and tired of the speculative game as applied to urban transit, but there is trouble about the conditions upon which the transition to a new order should be made. The gamblers who have lost are unwilling to pay up and the gamblers who have won are unwilling to give up. The public is being asked to make good past losses as well as to assume future risks. The losers want to usher in a non-speculative régime which shall be dated back for a generation or two, but with respect to losses only. The winners also want a non-speculative régime, but they do not want it dated back far enough to make them disgorge past profits to make up for impending deficits.

The present status of the street railways is unsatisfactory to all parties. The sky is full of portents for the future. Disaster to the present investors is imminent and perhaps can be averted only in case the public either unwittingly or from a mistaken sense of duty condemns itself to financial servitude time without end.

The general outlines of the situation are fairly distinct. They may be summarized as follows:

PERSISTENT EVILS OF OVERCAPITALIZATION

(1) Unsound and reckless financing has been characteristic of the street railway business. Overcapitalization is general and the all but universal tendency of the companies is to swell the capital account at every opportunity. Appropriations for the amortization of obsolete and superseded property have been either scant or entirely lacking. For some years past the companies have sought by every possible device to read values into the properties in an effort to justify and support existing overcapitalization instead of reducing the capitalization to fit the values that really exist. Even the control over capitalization exercised by public service commissions has been quite ineffective as a remedy for past evils and only partially effective as a preventive of future ones. The commissions as a rule have no power to compel a reduction of existing capitalization and the new securities issued under public control are thus put upon a par with old securities which represent uncertain values. Even in the issuance of new securities inflation continues to take place through the practice of the commissions in permitting stocks and bonds to be sold at a discount. The financial conditions which often seem to make this practice a necessary one have been brought about in large part by the uncorrected overcapitalization which took place prior to the period of public regulation. It is a universal characteristic of overcapitalization that it tends to destroy or impair the credit of the corporation and thus tends to make the financing of capital additions costly, if not impossible. From every point of view overcapitalization is fundamentally unsound. The only way to cure it is to get rid of it. It is hopeless for a company to try to live it down without correcting it. A remedy that merely applies to future capital additions is no remedy at all. So long as overcapitalization lasts it impairs credit, overloads fixed charges and stimulates controversy between the company and the public. So long as overcapitalization exists every street railway manager has to be double-faced. To the public he must make professions of interest in service. To his financial masters he must prove that his one aim in life is to make the common stock pay dividends.

INCREASED COSTS OF SERVICE

(2) The street railway business underwent an enormous expansion following the introduction of electricity as a motive power. It was thought that electrical operation would result in such a lowering of the cost of transportation service as to make almost any kind of a street railway profitable. Lines were consolidated, systems extended and service improved. The effects of this expansion were already being felt when the enormous increase in the cost of labor and materials during the war period struck the industry a paralyzing blow. It may be said that the last saw-log that broke the camel's back was the action taken by the War Labor Board in awarding to street railway employes wages that seemed fabulous in this industry and that were in many cases more than the men had asked for. To "the man on the street" the cost of operating street cars has seemed nominal, but even he is beginning to realize that the companies are being hard hit by war conditions. It is, of course, uncertain as to how long existing prices will prevail, but any substantial decrease in wages in the future to correspond with a general lowering of the price level is likely to be a slow and painful operation. The unionization of street railway employes has been going forward rapidly and it is not likely that they will accept radical reductions in pay without a fight. Every strike means at least a temporary disaster to the company and for that reason every company will be slow to force the issue of lower wages even if general labor conditions seem to warrant a reduction.

MORE REVENUES THE INSISTENT DEMAND

(3) Excessive fixed charges due to overcapitalization and increased operating costs in the present emergency together have eaten up the companies' revenues and left the stockholders exceedingly hungry. Certain economies have been attempted but in most cases their effect is quite insignificant as compared with the increase in expenses. Moreover, some of these economies, such as the skip-stop and the reduction in car schedules, tend to decrease the service to the public and indirectly to reduce traffic and revenues. One-man car operation, which is one of the most promising economies on the program, cannot be effected without considerable delay and the expenditure of considerable sums of money for new or remodeled cars; and the new capital that would thus result in the reduction of expenses cannot readily be had. To ask the street railway companies under present conditions to economize first, and to seek additional revenues later on if necessary, is much like the wholesome practice of compelling a tramp to saw wood before he is given a breakfast. That is all right if he had a good supper the day before, but if he has gone hungry for a week the strict application of the rule may prove to be both cruel and ineffective. At any rate the companies are in a state of mind where they demand more revenues and insist that they must have them at once or stop functioning.

THE ABROGATION OF FRANCHISE CONTRACTS

(4) Street railways get the bulk of their revenues from fare-paying passengers. If the rate of fare is fixed and unchangeable the only way to increase the revenues from this source is by an increase in traffic. If the cars are already overcrowded or if the people are moving to other communities, the companies see little hope in this direction. For the immediate relief of their financial pains they see no better way than the abrogation of their franchise contracts and the increase of the rates of fare. It has often been charged that contracts between cities and street railway companies are enforced to the letter when their terms go against the public, but that it proves very difficult indeed to enforce them when they go against the companies. At any rate it is a curious spectacle to see the protagonists of vested interests, who have so often invoked the sacred provisions of the federal constitution to enforce the obligations of contracts, now coming before the public service commissions and without even an apology asking that the provisions of their municipal contracts be set aside because they need more money.

An extraordinary development of law and public policy is resulting from these conditions. In some states franchise contracts have been expressly exempted from the control of the commissions, but in general it may be said that where full-fledged public utility laws have been placed upon the statute books, the courts are holding that the commissions have rate-regulating powers superior to the provisions of municipal contracts. The theory is a simple one. The first premise is that the state legislature is supreme and that municipalities have no rights or powers which have not been derived from it or which may not be withdrawn by it. The second premise is that the state, in the exercise of its supreme authority, subsequent to the granting of powers to municipalities, has chosen to exercise certain of them itself. It is as if a man were to delegate his son to carry on a certain portion of his business and to authorize him to enter into contracts for the purchase of supplies or for the construction of a new building. The son proceeds to make terms with a contractor. Subsequently, the contractor finds that his contract is unprofitable and desires to be released from certain of its obligations. Instead of going to the son and securing his consent to a modification of the contract, the contractor approaches the "old man" and submits evidence to show that the contract is onerous. Thereupon the father, without consulting the son or securing his consent, exercises his own superior authority and modifies the contract for the benefit of the other party. It is admitted that the father could not modify the contract for the benefit of the son without the contractor's consent, but it is maintained that if he wishes to sacrifice his own interests as represented by his son he may do so, so long as the contractor is willing to modify the agreement. The son is nobody.

This theory as applied to the relations between the legislature and the municipalities with respect to the modification of franchise contracts leaves the municipalities without ultimate authority and makes it impossible for them to enter into contracts with public service corporations with any assurance that the contracts can be enforced. The cities do not take kindly to the abstract theory of the law that they have no rights which may not be sacrificed by the legislature without their consent, and the whole purpose of the municipal home rule movement during the past forty years has been to overcome or circumvent this theory. The situation is developing, however, so that in many states constitutional home rule provisions have become ineffective with respect to this particular matter. The importance of this development upon the power of municipalities to deal with the street railway problem in an effective and constructive way can hardly be overestimated.

COMPETITION IN A NEW FORM

(5) It is a particularly interesting development that now, just as we have come to give legal recognition to the theory of monopoly in public utility service, the practical conditions of monopoly which formerly surrounded the street railway business have been considerably modified. Street railways unquestionably render a necessary service to urban communities. It is also unquestionable that they can be operated more economically and can render better service to the public if the business is handled by a single agency in each separate urban community, but the development of private automobiles and of jitney busses has been so great in recent years as to make serious inroads upon the traffic on which the street railways must depend for their financial support. In other words, just as monopoly has received legal recognition, effective competition has been re-established by a different type of vehicle. The effect of automobile and jitney competition upon the present financial condition of the street railways and upon their financial prospects for the future is profound and, even from the public point of view, alarming.

REVERSAL OF POLICY AS TO DEVELOPMENT OF TRAFFIC

(6) With expenses increased, traffic curtailed by competition and increased revenues sought through increases in rates of fare, a crucial test is being applied to the street railway industry. If the unit fare is raised from five cents to six cents, this should produce a 20 per cent increase in revenues; if it is raised to seven cents, we should get a 40 per cent increase in revenues; and if raised to eight cents, a 60 per cent increase in revenues. This is on the assumption that the same number of passengers would ride, but the experiments have been made and it has been found that an increase in the rate of fare tends to reduce traffic. Street railway service is indeed a necessity to every large city, but there is a considerable margin of use of street railway service in ordinary times which is not a necessary use

but merely a convenience. The tendency of the increased fares is to reduce this convenience traffic, which, obviously, is for the most part the short haul traffic, and this is admitted to be the portion of the traffic that is most profitable to the companies. We have, therefore, in the straight increases of fare which have already been allowed to many street railways, and which many others are clamoring for, a tendency of profound importance, both from the point of view of the financial interests of the street railway business and also from the point of view of the social importance of the street railway service.

Hitherto it has been recognized as a most important element in enlightened street railway policy to adopt all available means for the development and increase of traffic. All progressive companies have looked upon such an increase as beneficial to them, and all public authorities, except the late Mayor Gaynor of New York, have regarded the increase in the riding habit as a normal and healthful concomitant of urban civilization. Now under the stress of financial need the companies have been adopting measures which in fact tend to drive traffic away and to eliminate that portion of it which cannot be regarded as an absolute necessity. We can understand how in time of war when economies of man-power, fuel and equipment are urged upon everybody, an appeal to the public to use the street cars as little as possible might have some basis in sound reason and good public policy. The same may be true in times like these when a plague is in the land and crowded street cars are supposed to be a prolific means of spreading the contagion, but from the companies' point of view a curtailment of the use of the street cars, whether voluntary or involuntary, means a radical change in the financial outlook of the business, and from the public point of view it means a change in its conception of the social value of street railway service. The question is: Do we ride too much? Was Mayor Gaynor right when he sent his cynical reply to the man who complained that the Brooklyn Rapid Transit Company did not heat its cars? The mayor told the man that his proper remedy was to walk, as he did; in that way he could keep warm without any trouble.

As the matter now stands, the straight increase in fares is tending to transform the character of the street railway business from that of a public utility, intended to meet public convenience and give the widest possible public service, to that of a business occupying the streets for the use of a limited portion of the population whose necessity balks at no increase in cost or whose financial ability is unaffected by so insignificant a matter as street railway fares. The situation presents a complex combination of sociological, psychological and economic factors that is putting the intelligence of street railway managers visibly under strain.

THE ZONE SYSTEM BEING INTRODUCED AS A MEANS FOR INCREASING REVENUES

(7) Up to this time the one-city-one-fare policy has been characteristic of American street railway development. We have all supposed for a generation that this policy was based upon profound considerations of urban development. Specifically, we have thought that it was responsible for the development of the suburbs and the avoidance of congestion. New York city recently pledged some $250,000,000 to guarantee the profitableness to the rapid transit companies of a uniform five-cent fare with long rides. But within the last year since the street railway companies have felt the real pinch of poverty and have made a radical increase in revenues the dominating feature of their program, we are seeing the zone system introduced in various forms in many American communities without any real reconsideration of the reasons which we have always supposed were at the basis of our established American policy. Under cover of the Great War, when people are thinking chiefly of events in Europe, it appears that a long-established custom based upon a well-defined public policy is being overthrown, and a new custom hitherto rejected is being substituted for it merely as an incident to the insistent demand of the street railway companies for more revenue, regardless of the consequences.

It may be that the one-city-one-fare policy as hitherto applied in this country is a false and losing policy. It may be that a zone system will be worked out which is entirely consistent with the best ideals of city planning and the social development of urban communities, but if this is so it ought to be determined as the result of a careful investigation and reconsideration of all the factors from the public point of view. The change certainly ought not to be made over night merely as a device for extracting from an unwilling public a larger compensation for the service rendered by street railway companies.

STRIKES AND CIVIC DISORDER AHEAD UNLESS EFFECTIVE MEASURES ARE TAKEN

(8) A street railway strike has usually been a signal for disorder and a reversion to a state of semi-barbarism in the midst of the centers of civilization. That continuity of street railway service should be left to the mercy of contending economic forces, without any public authority to compel peace and performance of functions, has long been recognized as anomalous and dangerous to society. Two years ago attention was sharply directed to the necessity for legislation to prevent strikes among public utility employes and considerable progress was made in the discussion and formulation of plans to that end. When America entered the war, it became a matter of paramount national importance that labor troubles should be minimized and the interruption of vital public serv-

ices prevented. The War Labor Board was established. It has now been functioning for several months with notable success so far as the settlement of strikes is concerned, but as already noted its awards have greatly accentuated the financial problems of the street railways. Moreover, these awards have raised issues of public policy which were quite beyond the scope of the War Labor Board to settle. We are now face to face with the alternative of providing permanent and effective public machinery for adjusting street railway wages and conditions of work or of risking an era of profound civic dangers due to an unprecedented breakdown of urban transportation service by reason of industrial conflict.

SYSTEMS THAT HAVE GROWN BEYOND MUNICIPAL BOUNDARIES

(9) The enormous difficulty of properly controlling private companies in the operation of street railways has been borne in upon the American public for a generation past, and it must be said that the elaborate and costly experiments which we have made in commission regulation have not convinced the public that the problem has been solved. To these long-recognized difficulties have now been added the financial difficulties of the business from the point of view of the companies themselves. At a time when the logic of events tends more strongly than ever before to public ownership and operation, we are compelled to consider certain practical difficulties which have grown up as an incident of the development of the street railway business under private control. I refer to the expansion of individual street railway systems beyond the limits of the principal municipalities which they serve, so that at the present time comparatively few large street railway systems are operated independently in single urban units.

We still talk of *municipal* ownership and operation, but the fact that the Public Service Railway Company of New Jersey extends its service to no less than 140 municipalities, and that many companies in New England, Pennsylvania and other portions of the country have similarly expanded their systems, presents very serious difficulties indeed to the practical application of the municipal ownership policy. In many cases the consolidation of companies operating in widely separated cities has gone far beyond the requirements of public service. A separation of these systems into several units under municipal ownership and operation would not be seriously disadvantageous to the public. Yet it must be said that in communities where municipal boundaries have not been consistently expanded to keep pace with urban development, there are many cases where it would be fatal to the efficiency of the street railway service to cut it in two at existing municipal boundary lines. No doubt a plan could be worked out by which the principal municipality in a group served by a single street railway system could become the successor of the company for the ownership and operation or at least for the operation of the street railway service both within and without its own corporate limits, but this necessity presents another hurdle for the municipal ownership movement to take. A still more serious difficulty would be met in an effort financially to unscramble the overgrown street railway systems which, for purposes of municipal ownership and operation, should be restored to their original condition of separateness. It must be admitted that many of these systems, as they are now constituted, are about as incongruous as the Austro-Hungarian Empire, but in most cases the street railway Hapsburgs live in Philadelphia or New York. If we are to judge from this analogy, the process of unscrambling the systems will be long and tedious. It is often the despair of intelligent municipal effort that the control of the street railway property has been so enmeshed in a series of complex and more or less secret feudal obligations to absentee overlords as to make it difficult, if not impossible, to reach the parties who have power to enter into a new agreement with the city based upon modern principles.

PUBLIC OPERATION WITHOUT PURCHASE

(10) Under conditions that prevailed before the war a good many people who favored municipal ownership were opposed to municipal operation. We then had three distinct policies under discussion, namely, (a) private ownership and operation, (b) municipal ownership and private operation and (c) municipal ownership and operation. The conditions arising out of the war and the precedents established by the federal government in connection with the steam railroads and the telegraph and telephone lines, have brought another possible policy prominently into view, namely, (d) private ownership and public operation. This policy has already been adopted in the Boston case, and the financial difficulties in the way of immediate purchase of the street railway lines of the country, coupled with urgency for financial relief of the companies, are likely to bring very substantial support to this policy during the impending reconstruction period. The advantages of retaining unitary operation of large systems which are partly interurban are directing attention to the possibility of state rather than municipal operation. It may be safely assumed that the states are less keenly interested in ownership as such than the municipalities would be. Therefore, we have to consider a set of problems that are new and that are radically different from the problems previously considered in connection with urban transit.

In view of all these conditions, what is to be done with the street railways?

THE SPECULATIVE ELEMENT MUST BE REMOVED

In the first place, it is agreed that the speculative element in street railway investments must be removed and that the public must get the benefit and bear the burden of service at cost. The simple and obvious means of attaining these ends is public ownership and operation, or public operation with private ownership. But besides the difficulties inherent in public operation, which are still terrifying to the majority of people who are in a position to formulate public policies and put them into practical effect, there is the immense difficulty in settling the dispute as to the value of the property for the purposes of the change. Whether the public buys the property outright or merely guarantees an annual return upon its value, it cannot afford to recognize an investment that is grossly excessive. The street railway business is not what it once was. Since the advent of the myriads of automobiles, a city can get along for a few days in a lame sort of way even when the street cars stop entirely. It is still to be expected that in normal times in well developed urban communities the street railway business can be made to be self-sustaining. But the future is far from rosy. Increases in unit fares and shortened fare zones have a tendency to defeat their own immediate purpose and to stimulate competition to make further inroads upon traffic. This forecasts a radical change in the nature of the street railway as a public utility and in the character of the service it renders The financial results of such a change are extremely dubious. It is apparent that neither under private nor under public management can there be any hopeful future for profit in the urban transit business unless on the basis of the most conservative capitalization. There is absolutely no hope that the mules which were pulling street cars in 1879 and the cables that were scrapped in 1892 will be able to continue indefinitely to earn dividends in the street railway business. They have been outflanked. They should have retired long ago. It looks now like unconditional surrender for them The only possible salvation of the street railway business as a business lies in the cutting down of capital investments to bed rock value as a first step. The celebrated halo of intangible value caused by the wearing down of new property will have to be blown away and forgotten. The engineers' dreams of overhead percentages designed to make up for deficiencies in the value of visible property will have to be dissipated. Bond discounts reflecting unsound financial arrangements, promoters' profits for securing unprofitable franchises and promoting disastrous consolidations, and many another wraith of the corporation conjurers hired to find values where they do not exist will have to be motioned away when the capital account is being fixed. Perpetual rentals based on franchise values will have to be cut off. I believe that by the use of drastic remedies such as these and by the institution of economies such as one-man car operation, the street railway business may be brought back in normal times to a self-sustaining basis in most large urban communities. But where subways are built in congested streets or suburban lines are extended through the open fields, the net earning power of the business, if proper service is given, will be doubtful even under the best conditions.

SERVICE MUST BE RENDERED AT COST

In the second place, it is pretty well agreed that, with the removal of the speculative element, street railway service must be rendered at cost. Of course, it is understood that the term "cost" includes the necessary return upon a secured investment and the necessary compensation for competent management. The cost, whatever it is, will have to be paid either by the patrons of the cars or by the general public. As applied to an individual street railway enterprise, this is a corollary of the conclusion that the speculative element shall be removed. As applied to the street railway business generally, it is only another version of the well-known axiom that you cannot eat your cake and still have it to eat. It is the universal law of compensation that the cost of every service must be paid.

WAGES AND CONDITIONS OF LABOR TO BE FIXED AND STRIKES TO BE OUTLAWED.

In the third place, the responsibility for fixing wages and conditions of labor cannot be left as in the old days to the discretion of the employing companies. There is still considerable difference of opinion as to the most feasible solution of this problem. Labor hesitates to give up the right to strike even in services where continuity is essential to the public welfare. But it is intolerable that the public should have no guaranty of service pending the adjustment of labor disputes. In my opinion, the power to fix wages and working conditions will have to be conferred upon the same public bodies which are vested with power to fix rates, and that strikes on street railways will have to be outlawed. This policy involves the participation of public authority in a much more intimate and vital way in the management of the business of urban transportation, and greatly narrows the margin of difference between public control and public operation, but democracy cannot shrink from bearing the essential burdens of governmental responsibility. It has applied for the job of running the public affairs of the world. It must fit itself for the task and take hold.

FIXED FARE AND SUBSIDIES, OR A FLEXIBLE FARE—WHICH?

This brings us to the fourth fundamental question of policy, as to which no clear answer can yet be given. It is this: Shall street car fares be maintained at a fixed low figure, regardless of the cost of service, any deficits being made up out of taxes, or shall fares be flexible and be so adjusted as to place upon the riders the full burden of the cost of service at all times? We used to ask the question: Shall the street railways be operated for profit? That is now obsolete, and we have to deal with the obverse question: Shall street railways be operated at a loss? The issue is fundamentally the same whether we continue private ownership and operation or change to public ownership and operation. If we retain private ownership with a guaranty of an excessive capital value, or if we go to public ownership by paying an excessive price, the chances of financial failure are excellent, no matter what rates of fare may be charged. That will break off one horn of the dilemma and leave us with no alternative but to adopt the subsidy plan. But with a conservative capitalization and prudent management, we may hope, in most cases, to be permitted to answer the question on its merits. This is a fundamental question of municipal policy and may give rise to sharp differences of opinion. The one-city-one-fare rule which has prevailed so generally in the United States up to very recent times is generally coupled with the idea that transit should be cheap as well as of uniform price. It has become clear through the experience of metropolitan cities that the area of the uniform fare cannot be indefinitely extended, if the fare is to be kept low and the transit system is at the same time to be self-sustaining. New York city, after having been plagued for more than half a century with intolerable congestion of population, thought it well within the last few years to contribute an enormous sum of money for the express purpose of insuring to its citizens a uniform low rate of fare over a very extended area. Under the dual subway contracts, the city defers receiving any return upon its own investment until all operating expenses and a fixed return upon the capital of the operating companies have been paid. Any deficits are to be made up out of taxes. In other words, New York thought the uniform five-cent fare to be of sufficient social importance to vote it an immense subsidy. On the other hand, in the recent legislation adopted by the state of Massachusetts establishing a board of trustees for the public operation of the Boston Elevated Railway system, it was expressly provided that the trustees should increase the fares to any amount which might be necessary to make the enterprise self-sustaining on the financial basis set forth in the act. It is not yet certain that the board of trustees will be able to fix fares in such a way as to make the system self-sustaining, notwithstanding the requirements of the statute. But at any rate Massachusetts adopted the policy of making the Boston system self-sustaining under all conditions.

"HORIZONTAL ELEVATOR" SERVICE

The difference between this policy and the one adopted by New York in the dual subway contracts is radical. For my own part, I am inclined to the view that local transit will be recognized more and more as a public function for the general convenience of the people, and that the New York idea rather than the Boston idea will prevail. I am aware that at the present time the trend is toward the adoption of the service-at-cost plan with a fluctuating rate of fare. This is evidenced by the Cleveland street railway settlement of 1910, the new Montreal tramways contract of 1918 and the traction ordinances recently passed by the city councils of Philadelphia and Chicago, as well as by the action taken by the regulating authorities in many parts of the country authorizing an increase in street railway fares above the traditional five cents. In my opinion, however, this present tendency will cause a reaction as soon as general conditions become normal again after the close of the war. The resentment against the higher fares and the curtailment of traffic will together tend to bring about a restoration of a low unit fare which in the case of the great cities will be guaranteed by potential subsidies from taxation. I am even inclined to expect that ultimately street railway service in many cities may be treated as what might be called a horizontal elevator service. No owner of an office building would think of charging a fare on the elevators used in ordinary business service. It is only on the special elevators which carry people to the roof for observation purposes that a fare is charged. It is quite possible that in the future the city will regard general convenience of movement within its limits as of sufficient importance to provide transit service free or at a nominal rate. One might think that free transit service would lead to excessive use and thus prove to be an expensive luxury. It is a matter of common observation that the human race is largely made up of persons who enjoy motion for motion's sake. Many prefer jitneys to street cars, apparently because the jitney is an automobile and furnishes the exhilaration of what is still a comparatively novel kind of motion. The habit of riding in the street cars for pleasure has been pretty well broken and there is little likelihood that even if street car service were free on the normal routes of travel in the business districts and between home and work the volume of traffic would be in the long run excessive. Street car motion is no longer so attractive as it once was, as other and newer kinds of motion and excitement are now available.

CONTROL MORE DIFFICULT THAN OPERATION

We come, lastly, to the question of ownership and operation. It is apparent that we have long since crossed the Rubicon. Street railway service is a public function. The only question left is this: Shall the municipalities or other public bodies perform this function directly, or shall they contract it out to private agencies? In the future, city planning in the broad sense of the term, the development of municipal democracy and the dictates of public policy, rather than the desire for profit, must control. Even if private ownership and operation of transit lines is continued, the problem will be to make private ownership and operation act as if it were public ownership and operation. The fundamental motive that normally actuates private ownership and operation is irreconcilable with the motive that dictates public policy. Both cannot prevail. One must be held in check while the other controls the enterprise. If the return upon private capital is guaranteed and is limited to a fixed annual percentage, then we deprive the business of the alleged benefit of private incentive for economy and efficiency and these virtues of mangement will in the long run be developed only through the substitution of minute public control for the normal incentive of profit. It is to be noted, however, that from the public point of view economy is not necessarily advantageous when it interferes with service. In general the public may be more interested in having good service than in having economy of operation where that represents a curtailment of service as to either quantity or quality. Likewise, the public's interest in efficiency is likely to be more from the point of view of service than from the point of view of low cost. Economy and efficiency, therefore, are of unquestioned importance to the public only to the extent that they do not interfere with the desired quantity and quality of service, while from the point of view of a private company economy and efficiency are of importance to the extent that they do not interfere with revenues. The Montreal tramways contract represents what is perhaps the most serious effort thus far made to enlist the co-operation of a private company in the provision of service upon the same basis as if it were actuated by public motives. It is an experiment the outcome of which will be watched with great interest. I cannot escape the conviction, however, that any scheme of public regulation and control which adequately protects the public interest will require greater wisdom and more persistent watchfulness than would be required by direct public ownership and operation. It seems to me that it is easier politically and in every other way for the cities to perform the service which they require than it it is for them to compel or induce private parties to perform it when those private parties are necessarily actuated by motives in conflict with the fundamental motive of the public service. Our experience with public service commissions during the past eleven years has not clearly demonstrated their ability to cope with the problems presented to them in any better fashion than cities which own and operate their utilities have coped and are coping with the problems of public utility administration. I do not mean that municipal administration of public utilities has been an unqualified success in this country; on the other hand, I see that its faults are many and grievous ones. But inherently, it seems to me, the problems of direct ownership and operation are much less subtle and baffling than the problems of adequate public control under private management.

TIME FOR "LIBERALITY" IS PAST

To sum up the situation, I would say that private speculation in urban transit is generally recognized to be out of date; that the simple and direct way of eliminating speculation is through public ownership and operation; that a less direct and more difficult way is through the negotiation of service-at-cost contracts with the private companies, and that in any case the most difficult and the most fundamental problem to be solved now is the determination of the amount to be recognized as the legitimate capital value of the street railway system at the date when the transformation from a speculative to a non-speculative investment is made. In this matter it is absolutely essential from every point of view that a policy of conservatism shall be adopted. People often say that "we can afford to be liberal" in order to get the question settled. The time when cities could afford to be liberal in the establishment of the capital value of street railway systems has passed. No mummies in the pyramids of street railway overcapitalization are old enough to defy the disintegrating influences of the new financial atmosphere. Liberality is from now on a false watchword. Cities cannot afford to go beyond the dictates of justice, and the sooner this condition is recognized by everybody the more rapid will be our progress toward a solution of the immensely difficult financial problems of urban transit with which we are now confronted. The attitude of municipal liberality, which seems so praiseworthy to many, is at the very basis of the looseness and inefficiency which is charged against municipal operations. Often the very men who insist most strongly that cities should be liberal in settling with the public utility companies, are loudest in their condemnation of municipalities for not being efficient and businesslike in the mangement of public enterprises.

We are now entering upon a critical era. Our cities face unmeasured future responsibilities. We must set our house in order for eventualities that may come quickly. It behooves every well-wisher of civic democracy to do all in his power to develop intelligence, consistent purpose, justice, absolute candor and administrative courage in the management of public utility enterprises which have already been municipalized; and to secure the adoption of wise and adequate measures to facilitate the acquisition and operation of the street railways of the country under legal, financial and administrative conditions conducive to success in public operation, with or without public ownership.

WHAT WILL BECOME OF THE GOVERNMENT HOUSING?

BY RICHARD S. CHILDS
New York City

AT THE end of the war Uncle Sam has on his hands a dozen wooden cities ranging in population from 1,500 to 30,000. These are the temporary towns erected in remote wilderness locations for the employes of explosives plants. These towns in most cases are being promptly depopulated, the plants dismantled and the houses and dormitories taken apart and sold for use in other locations.

The completed, permanent villages have been constructed only in those places where there is reasonable certainty of a market for the houses after the war, subject merely to writing off the element of excessive cost due to the war conditions under which they were built as compared with the post-war costs with which these dwellings must hereafter compete. Thus Uncle Sam has 30 permanent villages on his hands to-day, and as he is not to be landlord indefinitely, some plan must be found for disposing of them.

The properties divide themselves into two classes. 1. Those which are so small relatively to the adjoining cities or so scattered in small groups throughout the city that they are not separable from ordinary private property. Call them "building projects." 2. Those which are separate villages of such size and isolation as to constitute natural and complete social units. Call them "town projects."

The first class ought to be sold in such manner as expediency in the individual instances may dictate. In some cases they can be sold as groups of houses to real estate operators or employers. In other cases they can be sold to individual workmen on appropriate terms with the assistance of local banks or employers.

The second class give an opportunity such as may never come again for a trial in this country of the principle of group ownership of housing along the lines of the co-partnership arrangements which are at the basis of the famous English garden suburbs.

At present these towns are the fresh and completed products of famous architects and town planners, unspoiled by the invasion of reckless or ignorant individualism. Each building has been constructed with due regard to the value of its neighbor and in harmony with the town plan. The grocery store does not obtrude itself on a residential corner nor confront the neighboring cottages with a bare blank brick side wall with a gaudy soap advertisement upon it. The newest house is designed by an architect who had responsibility for what the whole street looked like. The individual occupant cannot spoil his property and that of his neighbors by painting his house a sky-blue-pink or putting a dirty garage on his front lawn or surrounding his back yard with a 10-foot board fence. By yielding to common control of the use of the property, workmen attain the advantages of a harmonious, well-kept, parklike environment. The principle is the same as that of the restrictions under which high grade suburban lots are sold, whereby the mutual surrender of certain so-called liberties secures increased values to all participants and freedom from the erection of eyesores by the neighbors.

All these physical advantages may be obtained if these towns are purchased by the employer, who, indeed, already is operating most of them.

The moral advantages of private home ownership are wanting, however, and it is not fortunate to have the employer be also the landlord as a general thing, although it has not mattered much during the war when labor occupied so powerful a strategic position that it could safely concede the employer such advantages.

The ideal solution, retaining unity of the town without paternalism or loss of the sense of ownership is to sell these towns intact to the residents to be held in trust for them and by them as a communal property.

Erect a local incorporated association of the tenants in which each householder shall have a vote. Levy an amortization charge in the rents to retire the principal (as reduced by elimination of the war-cost) as rapidly as may be feasible. When enough has been retired to establish a satisfactory equity, obtain a private mortgage or a mortgage bond issue to retire the balance of the principal, ownership then to vest in the Tenants' Association under a deed of trust which keeps the property a unit, prohibits sales of houses or lots and prohibits private profit. All revenues will then be redistributed among the tenants in the form of services. Either rents will be abnormally low or the town's income will be abnormally high, for the unearned increment of land value has thus become a community possession and its annual value is clear gain to the people.

In other words, by this plan, Uncle Sam, having assembled the parcel of land economically through his power of condemnation, having avoided the costs of dealing with real estate speculators and having proceeded to populate it with a success and completeness which might well make the ordinary suburban real estate man green with envy, now says to the tenants, "I don't propose to let the real estate speculators get in here to run up rents and reduce service. You who live in these houses can have the property as a joint possession for what it has cost me, special war-cost excepted. I want no profit, simply my principal with interest. I merely want assurance that the inhabitants shall get the benefit of the unusual situation and that the property shall not become a subject for private real estate manipulation and exploitation of the tenants."

How practical this plan may be can only be determined after wages and building values find their level and the local industries strike their peacetime gait.

It is necessary, however, that nothing be done now that will prejudice the prospective opportunity of trying out in America a social experiment of such far-reaching and fascinating possibilities.

THE GOVERNMENT'S PRINCIPAL PERMANENT HOUSING PROJECTS

EMERGENCY FLEET CORPORATION VILLAGES

Abbreviations—ds., dwellings; apt., apartment; sch., school; dorm., dormitory; bdg.-h., boarding house; bldg., building.

		Architects
Bath, Maine	90 ds., 6 dorms. for 288, mess-hall.	R. Clipston Sturgis, Boston.
Bristol, Pa.	42 bach. qtrs. for 840, 14 bdg.-hs. for 840, 20 apts. for 250, 258 ds., 1 sch.	Carroll H. Pratt, New York City.
Camden, N. J.	2,107 ds.	Electus D. Litchfield, New York City.

		Architects
Chester, Pa.	227 ds., 1 bdg.-h. for 25, 23 apts. for 319, 1 hotel.	Simon & Bassett and C. E. Brumbaugh, Philadelphia.
Chester, Pa.	548 ds.	Ernest Flagg, New York City.
Essington, Pa.	200 ds., 1 apt.	C. W. Braser, New York City.
Gloucester, N. J.	500 ds.	Bissell & Sinkler, Philadelphia.
Jacksonville, Fla.	165 ds., 3 bdg.-hs. for 86.	H. T. Klutho.
Lorain, Ohio.	244 ds., 2 apts., 1 sch.	Abram Garfield, Cleveland.
Manitowoc, Wis.	100 ds., 1 dorm. for 300.	Earl Franklin Miller, Manitowoc.
Newport News, Va.	500 ds., 4 apts. for 372.	F. Y. Joannes, New York City.
Pensacola, Fla.	200 ds.	
Philadelphia.	960 ds., 16 dorms. for 800.	Geo. M. Bartlett, New York City.
Portsmouth, N. H.	300 ds., 8 dorms. for 400, 1 sch.	Kilham & Hopkins, Boston.
Port Jefferson, N. Y.	9 ds., 1 dorm. for 400.	A. C. Bossom, New York City.
Savannah, Ga.	230 ds., 1 hotel for 180, bdg.-hs. for 255.	
Sparrows Point, Md.	827 ds., sch., stores, etc.	E. L. Palmer, Jr., Baltimore.
Vancouver, Wash.	100 ds. and hotel.	
Wilmington, Del.	506 ds., 3 apts. for 51, community bldg., sch.	Ballinger & Perrot, Philadelphia.
Wyandotte Mich.	200 ds.	
Groton, Conn.		
Newburgh, N. Y.		
Seattle, Wash.		
Tacoma, Wash.		

WAR DEPARTMENT VILLAGES

Perryville, Ind.	160 ds., 3 bdg.-hs., club, stores	Mann & MacNeille, New York City.
Musele Shoals, Ala.	1300 ds., sch., stores	

DEPARTMENT OF LABOR (U. S. HOUSING CORPORATION) VILLAGES

Aberdeen, Md.	5 convertible houses for 60, 40 ds.	Sill, Buckler & Fenhagen, Baltimore.
Alliance, Ohio.	129 ds. (2 sites).	Walker & Weeks, Cleveland.
Bath, Maine.	45 ds. and alterations, for 90 families.	Parker, Thomas & Rice, Boston.
Bethlehem, Pa.	647 ds., apts. for 92, 25 stores, 5 offices, 1 theatre.	Zantzinger, Borie & Medary, Philadelphia.
Bridgeport, Conn.	360 ds., 50 apts.	R. Clipston Sturgis, Boston.
Charleston, W. Va.	85 ds.	Godley, Haskell & Sedgwick, New York City.
Davenport, Iowa.	396 ds.	Temple & Burrows, Davenport.
Erie, Pa.	552 ds., apts. for 38, 12 stores.	A. H. Spahr, Pittsburgh.
Hammond, Ind.	163 ds., 11 bdg.-hs.	J. C. Llewellyn, Chicago.
Indian Head, Md.	45 ds., 3 dorms. for 99, sch., cafe.	Donn & Deming, Washington, D. C.
Mare Island, Cal.	87 ds., 30 apts., 10 dorms., mess-hall, stores, recreation-hall, sch.	Geo. W. Kelham, San Francisco, Cal.
New Brunswick, N. J.	192 ds.	Trowbridge & Livingston, New York City.
Newcastle, Del.	30 ds., dorms. for 514.	Chas. C. May, New York City.
New London, Conn.	134 ds.	Hoppin & Koen, New York City.
Newport, R. I.	58 ds.	Clarke & Howe, Providence, R. I.
Niagara Falls, N. Y.	194 ds.	Dean & Dean, Chicago.
Niles, Ohio.	75 ds.	Geo. H. Schwan, Pittsburgh.
Norfolk & Portsmouth, Va.	1,379 ds.	Geo. B. Post & Son, New York City.
Philadelphia Navy Yard	576 ds.	Rankin, Kellogg & Crane, Philadelphia.
Puget Sound, Wash.	250 ds., 3 apts., 1 hotel.	A. H. Albertson, Seattle.

		Architects
Quincy, Mass.	400 ds., dorms. for 960.	J. E. McLoughlin, Boston.
Rock Island, Moline and East Moline, Ill.	460 ds.	Cervin & Horn, Rock Island.
Washington Navy Yard.	224 ds.	Ray & Waggaman, Washington.
Washington Navy Yard.	apts. for 252.	York & Sawyer, New York City.
Waterbury, Conn.	94 ds.	Murphy & Dana, New York City.
Watertown, N. Y.	111 ds., dorms. for 750	Davis, McGrath & Kiessling, New York City.

THE PRESENT AND FUTURE GOVERNMENT OF WAR COMMUNITIES

ERNEST CAWCROFT[1]

Jamestown, N. Y.

THE forefathers gathered in the cabin of the *Mayflower* to formulate and sign a compact, which became a chart of government for the freemen of North America. They planned their type of government before they established their community life on the shores of Massachusetts Bay. In the planning and establishment of that community life and government, they were at liberty to apply pure principle to the matter in hand, and they were not required to modify their conception of government to conform to existing right or vested wrong. They were privileged, therefore, to build their community life to fit into their ideals of government.

The exigencies of war compelled the United States to face the problem of war-created communities from just the opposite direction. In the reverse order, the war communities are finished, or are nearing completion. Systems of government must now be provided for these communities. While the forefathers fitted the structure of community life into their concept or principle of government, those charged with the development of war communities must aim to provide, or at least induce, systems of governments as modern as the type of construction. This means that eighteenth century ideas of community government should not in principle be applied to the twentieth century war city. The town planner is the social engineer of the immediate future, and he has enjoyed his first opportunity in the creation of these war communities, to show to large centers of population, that right group, or community, conditions may be impelled by deliberate city planning. Likewise the architect has been given his opportunity to be as much a factor in assuring wholesome housing for the humblest worker as the humanitarian or legislator. But the problem of creating war communities is not solved when the town planner and the architect, certify that the public utilities and the houses, are completed. It is at this moment that the questions of political control and business administration become vital. Have we a right to expect that these twentieth century communities shall be governed by twentieth century systems? Are we going to permit an eighteenth century politician to undo the work of the town planner? Will it be possible to induce the inhabitants of the war communities to sustain a political administration as modern and efficient as the type of community construction? Are we justified in hoping that the modern war community will raise the political, sanitary and general economic level of the city in which it is located, or of which it becomes a part by annexation? And conversely but equally important, is not the adjacent or annexed war community entitled to the thinking attention and continuing interest of the labor, church and commercial bodies of the nearby city? Will not each make it worth while by learning from the other? May not the democratic forces of the nearby city be used to give political stability and social cohesion to the war community, while the architecture and civic foresight of the latter stand as an ideal and point the way to better housing and industrial conditions in the former? These are questions which are pressing for an answer as the industrial housing projects of the United States are nearing completion.

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[1] Municipal Adviser to Emergency Fleet Corporation.

THE FIRST APPROACH OF DEMOCRACY TO RECONSTRUCTION

These housing projects are the first approach of democracy to the problem of reconstruction. The town planners may have been as farseeing as the projectors of the New Jerusalem; the architects may have enjoyed that rare privilege of putting their ideals into stone and brick—an opportunity only possible under the liberality of governmental expenditure; but unless proper governments are organized and sustained within these war communities, these housing projects will stand as a monument to the civic incompetency of democracy. The war having disposed of the dictum that we must tolerate public inefficiency in order to enjoy the fruits of individualism and democracy, the way is paved for clear thinking as a condition precedent to right action in relation to the control of the war communities. I have detailed and given emphasis to these questions because the program committee has asked me to define the problem as the basis for this conference about the administration of communities created by the people's money and because the officials responsible for a practical solution of the problem, need and invite the suggestion of this body of experts.

This problem is embodied in the one hundred thousand houses, or other structures, erected, or in course of construction, by the United States, for the accommodation of war workers. The continued building of a mercantile fleet, and the possibility of thousands being engaged in the construction features of economic reconstruction will make these housing projects available for peace workers. In other words, the houses are needed for peace as well as war workers and the problem does not pass with the ending of the conflict. These projects in the main have been under the direction of four agencies of the United States government:

THE GOVERNMENT'S HOUSING PROBLEMS

1. *The War Department,* which has constructed such temporary or permanent structures, sometimes in group or community formation, within the United States, as its military needs required and which has and will provide for the government and maintenance of such centers as federal reservations.

2. *The Navy Department,* which has created similar communities, and which has likewise undertaken the government of such centers by military law and at the expense of the federal taxpayer.

3. The United States Housing Corporation, an agency of the Department of Labor, and which has in process of construction or has completed, the largest number of structures for those general war workers, whose health and well-being were made the basis of maximum production, for supplying the army and navy.

4. The United States Shipping Board Emergency Fleet Corporation, organized within the District of Columbia, and vested by special act of congress with full corporate, coupled with semi-governmental functions.

Let us proceed with my task by elimination. I shall not discuss the army and navy groups because an army and navy government is provided for and by army and navy men; we know that such government will be effective, even if not democratic; I shall not discuss the United States Housing Corporation projects, except as the principles and experiences gleaned from an examination of the Emergency Fleet communities may be applicable; I do desire to discuss certain community projects in which the United States Shipping Board is interested. I shall direct attention to these projects as the first American attempt at reconstruction, and as an open challenge to the forces of democracy to determine whether communities started right have the conscience and intelligence to continue in a right, or modern direction, from the standpoint of political administration.

COMMUNITY POLICY OF SHIPPING BOARD

I am not authorized to define the community policy of the shipping board and my comments are the fruit of my own observations. But in the course of many trips to war communities, I have come to view the Fleet Corporation as a shipbuilder, banker, and benevolent paternalism. The shipping board was compelled to face the problem of building ships in competition with the German submarine, but it was also required to enter the industrial race for sufficient labor and then to house those workers. The difficulty was further complicated by the fact that, unlike the other industries, ships must be built in existing yards, or on ways established on the harbors of the two coasts. This added to the necessary concentration of population for shipbuilding purposes, and it became evident at the outset that community housing projects were and are necessary both as a war and peace measure.

We shall see that the business method of starting these housing projects tends to determine the system of government to be adopted. It is understood that the United States Housing Corporation takes title in fee to the majority, if not all, of its housing projects. But with few exceptions the Fleet Corporation has followed the opposite course. Shipbuilders, local business men and chambers of commerce displayed enthusiasm in meeting the suggestion of the shipping board to form separate housing corporations, subscribing for sufficient capital stock to purchase the land for the local project, and then borrowing from the board, on a five or ten year mortgage, a sum sufficient to construct the houses. The terms of this mortgage give the shipping board direction over the plans, and the supervision of construction, and the assignment of the stock in the local housing company to the board, as additional security for the payment of the mortgage, means that this governmental agency is in control of more than thirty housing projects or communities in course of construction on the Atlantic and Pacific coasts. This method of working through separate housing corporations has served to focus local interest in the projects, especially from the standpoint of police, fire and business control; to this extent provision is made for the present government of the war communities.

I dismiss without discussion the suggestion that these communities should be governed as proprietary corporations like Pullman of old, or Gary in part, especially when our returning troops will be pledged to making America safe for democracy, and democracy safe in America. Hence this discussion turns upon the future, the immediate future, of the government of the war communities in an hour when the town planner, the architect and the contractor are about to depart, and groups of people who never knew each other until they gathered and concentrated in the war plants of the coasts, are expected as good neighbors to develop that gradual social cohesion and economic balance, without which any community government becomes a mere legalism.

DIFFERENCES OF STATE POLICIES

A few concrete examples will show that the problem of providing a government for a war community differs in every instance. This difference is caused by the law of the state, the attitude of the local population to the housing site, the varying methods adopted in initiating a local project and the progress, or lack of progress, made by the existing nearby city prior to the war. Let us take Chester, Pennsylvania, as a typical case for discussion and conference. This city with a pre-war population of 30,000 now has over one hundred thousand people. Through local housing companies, the Fleet Corporation has two large projects nearing completion, and within the city. It followed that those projects are subject to administration by the existing government of Chester, and without assuming to determine for this purpose whether the city government is efficient, or inefficient, expensive or inexpensive, certain questions here become important: is the Fleet Corporation, as an agency of the federal government, and in view of the large expenditure of public money for shops and houses, justified in urging the adoption of any different form of administration by Chester? In a suggestion as to a form of local government, by a federal agency, both unwise and improper, under our conception of home rule, even though such same federal projects are subject to heavy taxation as corporate owners?

But Chester presents another phase of the problem. The Fleet Corporation is interested in a large housing project on the Buckman tract, which adjoins the city of Chester. This and similar housing projects, attract the attention and sometimes the envy of the suburban assessors. Many townships object to the adjoining city annexing a war community. In this and many other instances, the city of Chester, and the public utilities have been induced to expend large sums of money for public conveniences, in reliance upon the final annexation of the project as a means of compensation by increased assessments, water and light rates.

ANNEXATION QUESTIONS

Annexation questions are determined by the courts in Pennsylvania; there is a legal contest in progress between the city and the township as to the possession of the Buckman tract. In war times, it was necessary to proceed with the housing construction without waiting for a settlement of the legal questions; in this particular instance, the Fleet Corporation is favoring the annexation as a mark of good faith to Chester and the public utility companies; the type of government for Buckman will be determined by whether it remains within the township, or becomes a part of the city of Chester; it is doubtful whether the township has an adequate system of administration to provide fire control, police, school and public utilities for Buckman. But apart from the practical need of making Buckman a part of Chester in times of war, just how far a federal agency may with propriety intervene in disputes of this kind after the coming of peace; and yet some type of government must be provided for projects in this situation; and in this instance, it was sound business sense to annex a system of government by annexing the housing site, leaving to time and the people of the larger community, the making of such alterations in the system of municipal administration as may seem wise.

Two thousand modern houses are completed at Yorkship Village which forms part of the city of Camden. The government housing projects in that city will provide for ten thousand people. These ten thousand people, their dwellings and the public conveniences, as concentrated in one section of Camden, compose a typical small American city, which, under other conditions, might well be the site of an interesting experiment in municipal government. But in fact no such experiment is possible and Yorkship Village must abide by the governmental system which the progressive spirit of Camden provides from decade to decade. Concentrating shipbuilders through employment agencies and then building from one hundred to two thousand houses on a given site, must be followed by water, light, sewer and school facilities.

The Emergency Fleet as a matter of policy and under the stress of war, was right in not loaning money to local housing companies for the construction of public utilities. It had no assurance that those companies knew how to manage utilities; it did not need to be convinced that the tenant shipbuilders, having no property interest in the project, and coming from the four corners of the Republic, did not have that knowledge of, or faith in, each other, which would warrant the Fleet in entering upon a public utility enterprise, subject within the early future to the management of the votors of the town site. This was and is just the situation at Camden, and that city is expending $654,000 for water, light, sewerage, school facilities and the like, in connection with the government housing projects. The federal agencies were compelled to invite this local aid for the reasons of policy here outlined; but in addition, the military forces needed the same machinery which would have been required by the housing sites if it had been decided to embark upon a public ownership program; thus the war industries board has played a part in determining the future life of the war communities. But it is obvious that the government of Yorkship Village was shaped in advance by the very fact that it depended for its utility services upon the public and private plants of Camden. The city which expends the money as Camden is doing, must enjoy the power of assessment over the housing project in return.

HILTON VILLAGE: A REAL OPPORTUNITY

Those who seek in the war communities a possible field for sound civic experiment, may find in Hilton Village their real opportunity. It is stated that the United States Housing Corporation contemplated the construction of a similar village in the vicinity.[2] Situate in the heart of Warrick county, Virginia, and not in immediate geographical contact with Newport News, there is a chance to combine the two villages into one municipality. Without obligations to Newport News, and supplied by public utilities owned by corporations, the establishment of such a municipality, under the laws of Virginia, is in itself an opportunity for selecting and applying a type of government in keeping with the construction of the houses and the lay-out of the settlement. Shall those having a business or civic interest in the possibilities of this community, seek legislation or judicial deuce creating a manager or commission type of government for Hilton, or shall they be content to permit the locality to establish a conventional system of administration and later seek to foster public sentiment favorable to a change in the type? This embodies the whole question facing those who are interested in the permanent welfare of war communities through efficient governmental control.

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[2] Abandoned since armistice.

THE ST. HELENA PROJECT

The so-called Dundalk and St. Helena housing projects present an interesting subject for civic experiment. The Fleet Corporation owns the fee to the St. Helena project, which consists of dormitories, and which is situated on the opposite side of the highway to the Dundalk enterprise, now being constructed through the Liberty Housing Company. Together these projects constitute a compact and fully equipped village designed to house the families of the men employed by the Bethlehem Shipbuilding Company whose plant is located at Sharrows Point, some two miles away. These projects are located in a rural portion of Baltimore county, Maryland, free from geographical connection with other immediate centers of population, and when I made my first tour of inspection, I decided in my own mind that I had found a center in which to pivot a practical experiment in municipal administration. In other words, I felt that at Dundalk and St. Helena, where the incoming population may start community life under modern conditions only, and free from the prejudices of an older community, and from those legitimate rights in private property, which sometimes bar, or render unduly expensive, public progress, that it would be both possible and wise to give the village the most modern system of local government. I started with that aim in view to give legal life to my ideal. The fate of my ideal is a typical illustration of the difficulties inherent in the problem of making political progress keep pace with the architect and the town planner. I found that many years ago the Maryland legislature was induced to annex a portion of Baltimore county to Baltimore city; years of litigation followed when the act was questioned in the courts; but by final decree a portion of the county becomes a part of Baltimore city on January 1, 1919; that portion includes one corner of the St. Helena project. Thus the unity of the Dundalk and St. Helena project is not possible from a governmental standpoint. But there were and are other difficulties, due to the Maryland law. The annexation to Baltimore as finally sanctioned by the courts deprived the county of property having an assessed valuation of one hundred and twenty-five millions. The suggestion that other portions of the county be annexed, or established as a separate municipal corporation, thereby making further reductions in the valuation for county purposes, under the law of Maryland, is not received with favor by the political powers and their constituents. What, then, is the status, or predicament, of Dundalk and St. Helena on January 1st? Plainly, it is not possible to establish a commission, or commission-manager government there, and thus further test those municipal systems under the most favorable circumstances. It is fortunate, indeed, that the county law of Maryland does provide an excellent system of rural administration including modern fire fighting and school facilities; and that the projecters of Dundalk, in securing a conveyance of the site, caused clauses to be inserted in the deed providing in perpetuity for a land area tax to be collected each year, and to be applied in securing additional community services and utilities for the residents.

THE QUESTION OF OWNERSHIP

There are those who profess to believe that the federal government plans to divest the corporate title to these housing projects and take the ownership in fee. This is followed by the intimation that the adjoining cities should not be asked to make expenditures to provide public services for the war communities because when the government takes title these housing projects become federal reservations and free from taxation. I do not believe and cannot believe, that the government will be guilty of such a breach of faith with those cities which have, or are about, to make such expenditures on the highways of the housing sites. And apart from the question of financial good faith, I do not think that it is wise for the general government to set up industrial housing reservations in various sections of the nation even with the consent of the state legislatures. These housing communities should enjoy the responsibilities, as well as the privileges, of democracy; and I am convinced that people inside and outside the housing sites, will not want these projects managed except as experiments in democracy under democratic control.

The conclusions as to Chester, Dundalk and Camden are confirmed by investigations at Wilmington, Gloucester, Bath and twenty other Fleet cities. The creation of community governments is not an exact science. It follows, therefore, that the policy of the shipping board must vary to meet the community situations due to different state laws and economic conditions. In seeking to establish governments for these war communities, three primary things must be borne in mind; first, the new community must keep faith with the adjoining city which has provided the utilities during a period of expensive war-time construction; secondly, the new community has no claim to special privileges as a federal project, but it does invite and is entitled to receive, the friendly interest and helping hand, of those who see in better housing the key to economic reconstruction; and thirdly, the housing sites and their residents, within existing cities, should stand as an example to older portions of the community burdened with less attractive structures, but the housing enterprises should not be "marked" as the dwelling place of particular social groups, or of one class, or race of industrial workers.

The attitude of the federal governments and the friends of these housing centers, must be one of political opportunism. Even if the local or state laws permit, the imposition of the best or expert type of community government, will not solve the question. A democracy may develop leadership but it does not tolerate chaperones. A list of patrons will not establish and sustain efficient and democratic systems of control in and for these war communities.

What service, then, may the larger government and the friends of the housing projects, render to war communities about to pass into centers of peace production? None, except to give these communities a chance and that is much; if they cannot make them small but complete democracies, then they may head them in a democratic direction; they must take care that at the outset no corporate or local political agency obtains a vested interest in the stoppage of civic progress; they must make it easier for the people, than the local interest, to control these communities as the Republic's greatest experiment in democracy.

Thus I have been responding to the invitation to state the war community problem upon the understanding that I am to leave for conference discussion the natural questions as to whether the manager, commission, aldermanic, or federal reservation type of government be imposed or impelled in those centers, and within existing, or possible legislation.

But though the federal agencies and their friends start these war communities on a right basis, and chart them toward democracy, the success of these great experiments in architecture and politics, depend upon the voting residents of the town sites. Good people are needed to make a family home and a community life, just as bad people are required to make a jail. It is plain, then, that while the war communities were initiated by the need for war workers, peace permits a more liberal policy in the peopling of these new cities. The laborer and the lawyer, the plumber and the politician, the banker and the preacher, are needed as residents of these new communities to assure that diversity of viewpoint and balancing of interest, without which these towns will lack cohesion and stability. Mere laws and charters, even though democratic in inception and intent, must be supplemented by that attrition between the rights of the many with the privilege of the few, arising out of differing vocations, and forming the basis for continued but deliberate progress in these centers of democratic hope and vision.

PRESIDENT PURDY'S VIEWS ON RECONSTRUCTION

PRESIDENT PURDY of the National Municipal League was unable to attend the Rochester Conference on account of illness in his home. His views on the general subject considered are contained in the following letter:

105 East 22d Street,
New York, November 18, 1918.

I am grieved that I am deprived of the honor of presiding at the opening meeting of the conference of the League. It would have been a privilege and a pleasure to have said a few words about the policy and purpose of reconstruction. Our conference will have little, if anything, to say about the difficult task of demobilization. When the army returns to civil life and the munition makers to peaceful trade, the great change must be planned so that the ordinary business of the country shall be as little disturbed as possible. These plans are vital; they are necessary; but however well they may be carried out their purpose is only to restore order. These plans do not in themselves prepare us for any better civilization than that to which we were accustomed.

Our conference has been called to turn public attention toward a study of plans for our future lives which shall make the lives of men and women better and happier than they were before. We must consider constitutions and laws, charters and codes, that obstacles to progress may be removed and that, so far as action by states and cities may add to and diffuse prosperity, such action shall be taken. We should take thought about the conditions controlling the lives of wage-earners, both organized and unorganized, about public utilities, and the relation of wage-earners to the administration of public utilities whether they are administered as governmental agencies or by private corporations. Public utilities are *quasi*-governmental agencies even when privately administered, and never again must their public nature be neglected. They should be dealt with as natural monopolies. There is no room for competition in the transportation of passengers or goods or in the transmission of intelligence.

The policies that are adopted to meet the present emergency with reference to the public lands and to all our natural resources—land, water, forest, and mine—are of pre-eminent importance to the welfare of the people now and for the future. Speaking generally, no natural resources now owned by the nation or by any state should ever be alienated in perpetuity but should be operated by a governmental agency or under lease for reasonable terms on just compensation.

The war has forced upon us a more adequate attention to public health than ever before. There is great danger that we shall sink back to the point from which we started. Every gain that has been made in the conservation of the health of our people should be preserved and should be made the starting point for further gains. We cannot have public health without adequate and suitable houses for wage-earners. We have improved our standards of housing. There will be great pressure brought to bear to break down those standards on the theory that houses of such high standard cannot be built at a profit. If that be true, let them be built with public money. However they may be built, never again must we permit such disregard of the health, safety, and morals of the people as has been common in the past.

Sincerely yours,

LAWSON PURDY,
President.

STORY OF THE ROCHESTER CONFERENCE AND AFTER

BY CLINTON ROGERS WOODRUFF
Philadelphia

CALLED while the Great War was in full progress, and before an early armistice was thought of, even by the most hopeful, the Rochester Conference on American Reconstruction Problems came just at the conclusion of hostilities and when the minds of the American people were full of the joy of peace and victory, and were just beginning to think of readjustment on a peace basis. Originally intended to direct attention to the necessity for careful thought about the after-war period, it came at its actual beginning. Perhaps I can best describe the thoughts in the minds of those who were responsible for the meeting by quoting from a letter written by the chairman of the National Municipal Leagues' Committee on Reconstruction (LeRoy E. Synder, of Rochester) in July, 1918:

> I am under the necessity of trying to state my views on reconstruction when they are still in progress of formulation.
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> As I see it, the fundamental basis of reconstruction is philosophical—of the spirit. Let us assume that the soldier who returns from France, who has perhaps been maimed or has lost friends and relatives, has given several valuable years of his own life to the war, will raise the question, "What is this all about?" He will be told that he has been fighting for Democracy. It thus becomes necessary for those of us who pretend to be of some consequence in helping shape public opinion to get at the business of finding out what Democracy means, not in the abstract but in the concrete—what it means for the United States of America in 1919, or 1920, 1921.
>
> It is of course impossible to say whether the people of this country

> will come to as clear an appreciation of the necessity for economic, social and physical reconstruction as seems already to have been gained by the people of England, for instance. The program of the British Labor party, of which you spoke in your letter of July 8th (whatever one may think about its practicability or desirability as a whole), nevertheless seems, by almost common acceptance, to have reached the high-water mark of inspiration for the solution of the problems of reconstruction. Not only do I believe it possible to adopt some such a program (modified to suit our conditions and our state of social and economic progress), but I consider it extremely likely that we shall have to adopt some such a program whether we wish to or not.
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> Now this program of reconstruction means not only physical changes in the aspect of things after the war, or economic and civic adjustments, or industrial and commercial reorganization—to me it means all of these. We have to think, not of a "man on horseback," but of "the man in overalls," as Beard has put it, because he stands on the horizon as the arbiter of our future. He is going to demand a social and industrial organization that will make Democracy a real and tangible thing, and we must consider the problem in its broadest aspects or we shall do a vain and fruitless work.[1]

The war came to an end, however, before America felt its full effects and before there had been any such studies of the problems as Great Britain had been patiently and exhaustively making for upwards of two years as Thomas Adams of Ottawa so fully and adequately described at the opening session of the conference.[2] Nor were we confronted by such necessities for physical rehabilitation and reconstruction as our allies, France and Belgium, are facing and which were so forcefully and poignantly described by M. Lieut. Boyer of the French High Commission and Prof. Van Den Ven of Belgium. The War's termination found us in the flood tide of absorption in warlike enthusiams that bade fair to sweep us from many, if not all of our moorings and before our spirit had been fused to a white heat. What had been so often prophesied had come true! That the coming of war had found us unprepared for war and the coming of peace would find us unprepared for peace. And yet America had made a great contribution to the early ending of the War by an unparalled marshalling of her resources and a degree of citizen co-operation undreamed of two years ago—and it does not seem too much to expect that the problems of reconstruction may be attacked in the same way. The present prospects are not any too bright, however; it remains for the citizens of America, both in their individual and in their co-operative capacity to make as great a contribution to the settlement of the after-war problems as to the settlement of the war itself.

The most striking note of the Rochester Conference was HOLD FAST to that which had been gained. It was embodied in the platform[3] presented by Vice-President Richard S. Childs and unanimously adopted by the conference at its closing session. The formal papers published in this issue speak for themselves. They cover a wide range—as was to be expected—from the new relation of the federal government to local communities (although as Dr. McBain pointed out the relation was not so new as the emphasis placed upon it) to the present and future government of the war-time communities representing an immediate and concrete problem of pressing importance.

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[1] Mr. Snyder's views on a specific program of reconstruction have been set forth in an article published in the November issue of the NATIONAL MUNICIPAL REVIEW and in a pamphlet which can be had of the Rochester Bureau of Municipal Research.

[2] It is the expectation of the Editor to publish this address, when revised, in a future issue.

Certainly *The Survey* was right when it said

> If anyone came to Rochester at the invitation of the National Municipal League to find out "what it is all about"—the present-day talk about "reconstruction"—he must have come away perplexed. For, there were some speakers to whom the term meant a spiritual regeneration and others to whom it signified new roads and a large mercantile fleet; some spoke of it as having to do with a national program for a period covering at least a century, and others were impatient because speakers would not "keep to the point"—the problems waiting for solution within the next two months. And yet, the very vagueness of the idea of "reconstruction" in the matter of time, space—ranging as it did from neighborhood questions to foreign relief—and magnitude of tasks helped to bring out a wholesome truth: that in this period of transition from war to peace those concerned for the welfare of the nation cannot afford to neglect any of the factors that enter into the polity, be they small or large, be they concerned with broad purposes or with the satisfaction of immediate needs.

A conference on reconstruction which did not cover so wide a range would have been lacking. There are immediate problems like the demobilization of the troops and the "re-education" of the wounded and the adaptation of the great machinery of citizen co-operation to peace ends. And there are the great problems of nation planning which must now come into the forum of discussion. All these and sundry other topics were touched upon both in the formal papers and in the ten minute discussion, very little of which was pertinent to the papers, and all of which was germane to the objects of the conference.[4]

What next? The Rochester platform represents certain important and comprehensive lines of action mostly governmental. A conference on demoblization and the responsibilities of organized social agencies was held in New York, November 29 and 30. This was fully reported in *The Survey* of December 7. As was natural it dealt largely with social questions. A War Emergency and Reconstruction Congress was held in Atlantic City, December 3–6 under the auspices of the Chamber of Commerce of the

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[3] See page 1.

[4] We hope to cull out and publish in a future issue some of the fine and stimulating things which were said. The stenographic report was not received in time to enable us to do it in this number.

United States. It dealt with business and industrial questions, as was to be expected and its conclusions dealt with them. In January there is to be held still another reconstruction conference in Washington under the auspices of the National Popular Government League. Elaborate bibliographies of reconstruction have been published by the Department of Labor and the Sage Foundation.

Elisha M. Friedman has edited a national symposium on the economic and financial aspects of the subject under the title *American Problems of Reconstuction*[5] to which Secretary Lane of the Department of the Interior has added an appropriate foreword. The contributors, including: O. P. Austin, Charles J. Brand, Frederick A. Cleveland, William B. Colver, Irving Fisher, Lillian Moller Gilbreth, Emory R. Johnson, E. W. Kemmerer, Ray Morris, Alexander D. Noyes, Robert L. Owen, George W. Perkins, Allen Rogers, Charles M. Schwab, Edwin R. A. Seligman, Francis H. Sisson, George Otis Smith, Frank A. Vanderlip, and Willis R. Whitney, treat a long list of subjects under four headings: A perspective of the problem; efficiency in production; adjustments in trade and finance; and programs, monetary and fiscal. These are treated from the following points of view: (a) What are the temporary effects of the war? (b) How may readjustment to peace conditions be facilitated? (c) What are the permanent effects of the war? (d) What changes in our national life must result therefrom? (e) What should be our national economic policy?[6]

Books and articles in increasing numbers will be published. Other conferences will be held—but what next? HOLD FAST was the fundamental note of the National Municipal League's Conference and its platform—but *Quicken the Pace* was another thought which was found there. A serious situation confronts us. In the words of a leading member of the conference embodied in a letter written after a week spent in Washington:

> The reactionary forces are at work in Washington. There is no question that everyone recognizes the value of the developments so far assured in the many constructive branches of the Government Construction Departments in Washington. The leaders there, however, are practically all men anxious to return to their affairs in civil life. That means that the efforts towards reconstruction, present and future, must be reorganized by others than those that have been leaders so far.
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> Talking generalities will do no good. Some one or group will need to sit down and develop a definite scheme combining the affairs of the several

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[5] Published by E. P. Dutton & Co. of New York.

[6] Two other interesting volumes should be read in this connection. One is by Brougham Villiers, entitled *Britain After the Peace: Revolution or Reconstruction*. It also is published by E. P. Dutton & Co. The other is by Dr. Richard T. Ely: The World War and Leadership in a Democracy, published by the Macmillan Co. Both were written before the armistice was concluded, but both are pertinent and stimulating now that reconstruction problems are upon us.

departments or activities, and then striking hard in both executive and legislative branches to secure a permanent beneficial organization, one or more. The members of the principal departments of the federal government fully appreciate the value of the accomplishments heretofore, and the difficulty lies in the almost inevitable need of reorganization of the federal departments; probably adding one or more new ones.

These observations have led the chairman of the League's original committee on reconstruction to offer the following comments which call for urgent and thoughtful consideration:

It seems to me clear from the fact that the President apparently believes there is no need for special effort to think or plan for reconstruction, that we are in quite serious danger of losing the benefit of the advance toward wholesome governmental control for industrial and social efficiency that was effected during the war. We have reached the anticlimax, and the danger is that literally within a few weeks we may find the whole new structure of war-time governmental activity wrecked beyond any possibility of reconstruction within a reasonable time.

Had the President shown the inclination to take the leadership which we expected him to assume, he would have made earnest effort to persuade Congress to retain the various governmental agencies for supervision and control that were built up as war-time machinery, and to improve their functioning so that they might reasonably be expected to work effectively for peace. At least he would have said, "Here are certain desirable objects that may be obtained by the exercise of power similar to that which has been given to such and such a board during the war. We must make sure that government does not relinquish these powers until there is substantial agreement that such relinquishment will not be to the disadvantage of our national life."

In such circumstances, it would have been the duty of every person in office and out to study the whole problem of the organization of government from this new point of view, so that we might not only conserve the gains achieved by the war but make such additional progress in the same direction as the enlightened public opinion of the country would support. What has apparently happened is that the President, being unable or unwilling to attack these problems sympathetically, has virtually said to the Congress and to the nation, "The war is over. Private initiative may be depended upon to readjust industry and society to the pre-war basis. All we have to do is to drop our new tools as soon as we can conveniently do so and get back into the old system of things." Even on the vital question of railroads, he has no opinion and gives no promise of leadership.

This whole situation is profoundly discouraging. It seems to me that the President, committed to an international program behind which liberals can stand, has abandoned the field of domestic problems and left this field in the complete possession of reaction. The task of liberals in this country would have been tremendous if it had meant simply backing the President in a definite program of domestic advance, but if the liberals must make progress without the President's leadership, and perhaps even his interest, the task is rendered extraordinarily difficult.

Yet our duty is more imperative than ever. It seems to me the big problem just now is to get in touch with every agency in the country that is interested in forming public opinion along some such lines as were laid down in the platform adopted by the Rochester Reconstruction Conference. Might it not be well for the League's Reconstruction Committee to meet as soon as arrangements can be made to consider a definite program of propaganda and legislative effort that might be presented to the larger Committee on Reconstruction, which could be called to meet on the day following the meeting of the League's committee? In order to formulate a program that might be presented in pretty definite shape to the larger committee, our own committee might call into counsel several persons whose names will suggest themselves as the matter is gone over—persons who have special acquaintance with the particular phases of work that has been done by the government during the war and with the legislative situation.

WE REPEAT: WHAT NEXT?

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

OUR CITIES AWAKE. By Morris Llewellyn Cooke. Doubleday, Page & Co., 1918. 348 pp.

Any book which gives the public the benefit of Mr. Cooke's four years of constructive leadership with Philadelphia's department of public works during the Blankenburg administration is worth while. Nearly every one with more than a casual interest in city management has read and admired the unusual reporting publicity inspired by Mr. Cooke during that time. This book is one of those reports grown up. Here nearly every phase of city government is talked about informally, illustrated with pointed cartoons, live photographs, and sometimes home talent poetry. The reader will not be bored, and the layman will find that a lot of things have been actually done in governmental establishments which were formerly believed to belong only to the realm of "efficient private business."

At the same time the in-the-rut official who has "no time" to make improvements or who "doesn't see the value of these new things" will secure an excellent stimulus to the imagination. Even the college teacher of local government may seize upon a half hundred pat illustrations to liven up some legalistic, statistical, political science.

The title is not entirely correct because mighty few cities are as awake as was the Philadelphia department of public works during 1912–16. Nor is the book written so much about other cities as about Philadelphia with occasional illustrations from experiments and practices of other communities.

The sub-title, "notes on municipal activities and administration," coupled with the preface statement that in the book "an effort has been made to record informally some of the steps taken to raise the work of the department (of public works) to a higher level," more accurately states the content. And that content is well worth reading, particularly in the light of the foreword by Newton D. Baker, who points out the responsibilities of modern, progressive government to the returned soldier, "each of these soldiers will become a citizen again, with his trade or profession, with his family, with his friends, and with the rest of life to live among conditions which he has won the right to expect shall be free and fine."

But Mr. Cooke's review of the inspiring progress made during his four years of work raises a question which must be answered plainly and truthfully in the immediate future if the workers for progress are to keep heart.

Why have "Our Cities Awake" turned over, looked at the sun, and so inevitably gone back to sleep again? Why did Philadelphia, with Mr. Cooke's service and Mr. Cooke's deft telling of it, go back at least part way to the old? Why after a single term would New York have no more of Mitchel, and the reform he stood for? Why did Cincinnati repudiate Hunt whose record of works done was unimpeachable? Somebody someday soon will tell that story and present a fact basis of waking cities and keeping them awake.

LENT D. UPSON.

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AMERICAN CITIES: THEIR METHODS OF BUSINESS. By A. B. Gilbert. New York: The Macmillan Company, $1.50.

This may be briefly described as an essay in municipal pragmatism. Campaigns for reforms in cities are generally based on appeals to civic righteousness. Mr. Gilbert establishes the proposition that wise city management advances the material interests of all the enterprises which conduce to the general prosperity of the citizen, by emphasizing the differentials which enable a community to compete with commercial rivals

The proper attitude of city government toward such important factors as land value, public services and the capital necessary for development are exhaustively discussed, with a wealth of citations from authoritative sources. A very valuable presentation of the manager plan of city government will be found of much interest by students of that administrative innovation. The need for a thorough industrial survey to form a basis for intelligent municipal policy is properly insisted upon as a fundamental initial step, and valuable hints are given as to the points most necessary to be studied.

Credit is given to German municipal management as a most important factor in enabling that country to sustain for so long a period the economic strain imposed by the war.

Every serious student of municipal questions will find "American Cities" brimful of useful suggestions, on many perplexing problems. The book is a model of concise statement undimmed by rhetorical exaggerations or mere denunciation. The author has a clear vision of cities contending with each other for population and business. Thucydides said that he could not play on any stringed instrument but could tell the people who would hearken to him, how to create a great and powerful state. Mr. Gilbert does not disclaim ability as a musician, but like the Greek historian, he can tell our cities how to develop to the utmost the advantages which they may possess in their struggle with their economic rivals. He pays a generous tribute to the late Tom L. Johnson, to whose efforts for the development of Cleveland, he ascribes his own interest in the subject, which he has so ably developed in "American Cities."

J. J. M.

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THE VALLEY OF DEMOCRACY, by Merideth Nicholson. New York: Charles Scribner's Sons. $2.00.

The Valley of Democracy is a phrase from the pen of Dr. John H. Finley, which Mr. Nicholson adopts as the title of a little book of essays dealing with the people of the middle west and their politics. These essays show an intimate acquaintance and a broad sympathy with the progressive and yet somewhat puritanical social and political mind from Ohio to Kansas. "Folks and their Folksiness" rambles whimsically among the plain common people and comes close home to those who love the "valley." "Types and Diversion" justifies the liberal and American west and pokes mild fun at the conservative and heterogeneous east. In a rough way the ground of these two essays was sketched several years ago in an even more delightful and humorous vein, in a little essay by Carl Becker under the title "Kansas."

Chicago gets a special and separate treatment in an essay that breathes the hopes and aspirations of the big lake city. All the west believes in Chicago and pays it tribute and compliment. Chicago gets into the blood as few cities do; it is a city, but in the last analysis a city of the future, the motto of which is "I Will."

The chapter on the farmer is well done. Changes in farm life during recent years, the influence of agricultural colleges and experiment stations, the coming of the automobile and the tractor and other labor-saving machines, are all illuminated by Mr. Nicholson's treatment. The plea for more and better farms is summed up in a quotation which opens the chapter: "Raise corn, my boys, it grows while you sleep."

In its mild way the book is in part a plea for better city management, for the manager idea and for progressive reorganization in municipal government. The two scant pages on the Non-Partisan League of the northwest is hardly a fair statement of the whole movement. It is, after all, merely a summary of what its enemies say about it. The league deserves a more careful study than has yet been given it by anyone who assumes to write of the political ideas and movements in the "Valley of Democracy."

For the most part the book is refreshing and invigorating. It is a sign that politics and political thinking are on the up-grade when they are dealt with in this popular vein and offered on the market between the covers of "a readable book."

C. A. DYKSTRA.

Cleveland, Ohio.

Safe and Unsafe Democracy. By Henry Ware Jones. New York; Thos. Y. Crowell Company.

Mr. Jones has framed a crushing indictment of the actual practice of politics in the United States. Such an achievement is not rare, but this book is exceptional in that it has explored the whole field of public action and offers the most minute specifications of the charges. It is hardly too much to say that his thorough exploration of the body politic finds no sound spot in it. In his preface he warns the casual reader that the book will not be found amusing—and it is not. He directs his sharpest criticism at the institutions, known as political parties, but which he terms "partisan parties." He avers that they exist primarily for the ambition or material benefit of their officers and a few of their members, and only secondarily, and to an unimportant degree, for the propagation of political opinion. He condemns the attempt to regulate "partisan parties," because thereby they are given a legal status and their power is increased and consolidated rather than controlled. In this conclusion many students of electoral reform will concur. He contends that the Fathers never contemplated such bodies as these, or that some provision would have been made for them in the framework of the constitutions of the nation or the states.

He shows little consideration for the various rebellious groups, which, under the name of reform organizations, have appeared to temper the despotism of political bosses. These movements appeal to the author as futile attempts to improve "partisan parties," when the purpose of every patriot should be to destroy them.

Naturally Mr. Jones is friendly to the idea of direct legislation, but he condemns its application to administrative questions, believing that it should be limited to those reserve powers which find their proper place in constitutions. He would make participation in government compulsory on all voters, just as military and jury duties are. He favors proportionate representation, meaning thereby a representation based upon ideas in proportion to the numbers of people holding them, but he has no patience with proportional representation, which he sees simply as a device to secure for the "partisan parties" their proportionate share in government. The method of administration of our naturalization laws receives scathing criticism.

The author seems to have made no charges which cannot be substantiated from the records; the general effect of this monumental work of five hundred pages is depressing to the citizen who would like to maintain some hopefulness of progress toward political ideals. Still the author has expended immense effort to lay before us a searching diagnosis of our political ills, and for this we owe him gratitude. His work seems weak on the constructive side, because he only indicates the direction in which we must look for improvement. Apparently he would have the nation and the states adopt some kind of declaration of the general purpose for which their respective governments are organized; and with it a formulation of the duties of citizenship so that every man may know what is expected of him. Of course, he insists upon the importance of general education in order that the citizen may be fitted for those duties which democracy inevitably imposes on him.

The thought arises that human nature working under such defective social conditions as now obtain, cannot adapt itself effectively to any severely logical system. To many people the ignorance of the mass of voters, which inevitably inheres in any present practice of universal suffrage, seems to contradict the fundamental axiom of democracy that everybody knows better than anybody. But do persons really consider the process of mutual cancellation which goes on in every election? When it comes to a choice between yes and no, the ignorant have one chance in two of voting right. No party enjoys a monopoly of the unintelligent vote of the country, and so a sort of equilibrium of ignorance is established and the result is determined by a shifting percentage of people who maintain at least a measure of independence. At the same time the stabilizing fact penetrates the consciousness of the ignorant that they are having their share in the direction of the destinies of the country. J. J. M.

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LEGISLATIVE REGULATION OF RAILWAY FINANCE IN ENGLAND. By Ching Chun Wang, Director of Kin-Han Railway, China. Urbana: University of Illinois, 1918. 196 p.

This monograph is a real contribution to the subject of railroad regulation and a very readable work as well. In its eight chapters, it takes up the following subjects:—general legislation on railway finance; legislative supervision of capitalization—share capital; supervision of railway capitalization—loan capital; control of the borrowing powers of railway companies; registration of railway securities; regulation of stock watering; the regulation of railway accounts; state auditing and inspecting.

England was not only the pioneer country in the construction of railroads, but also in the regulaton of railroad finance, beginning at a very early date. While regulatory legislation dates back to the early days of railroad promotion, there have never been any really hostile laws passed by Parliament, due, perhaps, to the very fact that railroad finance was regulated from the beginning along more conservative lines than in other countries. The chief aim appears to have been, not to impose restrictions in the interest of the public, so much as to protect the investor. And there has been a tendency all along to hamper capital as little as possible within the bounds of reason; with the result that capital has always been easy to raise for British railroads, and the chief danger in railroad finance has been one of overbuilding and overinvestment, rather than any dearth of capital. England, then, has steered rather a middle course in regulation, differing both from the policies found with the government-owned roads of Europe, and the restrictions imposed by recent state public utility laws in the United States, as well as from the extreme *laissez-faire* methods which so long prevailed in this country.

One of the indications of liberality in British railroad legislation is the fact, not generally realized perhaps, that stock watering is still permitted in England, though the practice has been rather on the wane since 1891, when "stock splitting," as it is called, reached one of its highest points of development. The reason for the existence of stock watering in England, as in the United States, was the belief that two classes of stock would sell better than one; but the results often failed to justify this belief, although there is still no legislation prohibiting the practice.

The student of railroad finance will find the whole monograph of interest, with no trace of the Eastern origin of its writer.

JOHN P. FOX.

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HEALTH AND THE STATE. By William A. Brend, Lecturer on Forensic Medicine, Charing Cross Hospital. New York: E. P. Dutton and Company. Cloth, 6 x 9 in.; pp. 354. $4 net.

Although dealing wholly with the British aspects of the subject, this volume should appeal to all interested in public health, state and local government, national insurance and medical treatment at state expense. The main thesis is the need for a ministry of health and a better co-ordination of local health administration, which latter the author believes should be the basis of public health work. The ministry of health, Dr. Brend believes, should be a research and advisory agent, leaving actual health administration to other state departments and to local authorities. The author deplores the framing of laws and policies by laymen members of Parliament. He points out the almost complete absence of medical men from the British Parliament and the large number of lawyers in that body and urges that the lawyers are far too dependent on precedent to deal rightly with any growing scientific subject. The large proportion of medical men in the French Parliament is mentioned—but the writer does not claim that French public health legislation and administration are superior or even equal to British.

In developing his subject the author discusses some of the communicable diseases, infant mortality, disease in children and adults, and public health in relation to land and housing—coming out strongly for the theory that environmental conditions are the dominant factor in infant mortality and tuberculosis. Data in support of this theory are presented which deserve careful weighing and suggest that similar data for the United States might well be compiled and studied.

The workings of the British national insurance act, and particularly medical treatment at public expense under it, are presented in some detail and with spirited adverse criticism. The doctors who treat sick insured persons are held to be overworked and underpaid, while of the total appropriation made far too much is allowed for drugs. Too little provision is made for accurate diagnosis, and for special surgical and other treatment, including hospitalization.

Coming finally to governmental as distinguished from technical details of state and local health work, the author seems to find that it is not so easy as the specialist may at first think to get clear of laymen control in a democracy. That is, he bumps hard up against the old question of reconciling democracy with efficiency. The soundness of his main contentions here and his earnestness throughout, lead one to suggest that the author read or reread Mill's "Representative Government" and perhaps some of the more recent discussions of the separation of legislative and executive functions in state and municipal government.

M. N. BAKER.

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AMERICAN DEMOCRACY AND ASIATIC CITIZENSHIP. By Sidney L. Gulick. New York: Charles Scribner's Sons, 1918. 357 p.

Few who write on American-Japanese problems are better qualified than Dr. Gulick to discuss the question of Japanese immigration. Out of his intimate knowledge of Japan and the Japanese and his close contact with the problem on the Pacific coast, Dr. Gulick has arrived at certain definite conclusions as to the nature of the Japanese problem and the proper method for its solution. That solution he finds in the adoption by congress of a policy embodying these two proposals: "First. All immigration should be regulated by the principle that America shall admit only so many immigrants from any particular people as she can Americanize. Second. Privileges of citizenship should be given to every individual who personally qualifies, regardless of his race."

The second feature of Dr. Gulick's proposal is designed to remove all race discrimination—a discrimination particularly resented by Japan. The first of these principles aims to protect the Pacific coast not only, but the entire country, from excessive immigration from all countries. Specifically, Dr. Gulick would fix an annual maximum number of immigrants which may be admitted from any country, that maximum to be a definite per cent, say five, of the naturalized citizens and American-born children of each immigrant race.

In presenting these proposals, the author devotes much attention to modern Japan, her problems and her claims, as well as to China and our dealings with Asiatics in this country.

C. C. WILLIAMSON.

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AMERICANIZATION. By Royal Dixon. New York: The Macmillan Company, 1916. 196 p.

This little volume was published in July, 1916. Perhaps there would be little justification for this belated note if it were not for the very remarkable interest which has since developed in Americanization. Mr. Dixon was, among other things, the editor of "The Immigrants in America Review," and had therefore a special insight into the Americanization movement at the time when it was receiving its first stimulus from the European war. In these brief, "sketchy" essays he gave an interpretation of conditions unfavorable to assimilation and set forth interestingly some features of the underlying philosophy of Americanization. He had little to say, however, of the agencies and methods to be employed.

As an associate of Miss Frances A. Kellor, he naturally has much to say of her numerous activities in behalf of the immigrant, and particularly the work of the National Americanization Committee. Upon the work of women's organizations he dwells at length, reprinting *in toto* Miss Kellor's syllabus of studies in Americanization for women's organizations (p. 113 to 124). At the time Mr. Dixon was writing the celebration of the first Americanization day, Monday, July 5, 1915, seemed to have a very large significance.

Chapters on "National Preparedness" and "Organized for Peace" have at best a very remote bearing on the problem of Americanization. On the whole, it may be said that the volume illustrates well the difficulty that even the best informed person has in grasping the full significance of a movement in its early stages.

C. C. WILLIAMSON.

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"THE RESPONSIBLE STATE." By Franklin H. Giddings. Boston: Houghton, Mifflin and Company. 1918, Pp. 108. Price, $1 net.

The title is attractive. These are times in which the need of means for asserting and maintaining the responsibility of the state is felt by all thoughtful men. But if one turns to this treatise for information what to do and how to do it, one will be disappointed. It is a discourse upon political ideals from the standpoint of sociology, on the lines drawn by Herbert Spencer, from whose views Professor Giddings dissents in important particulars, but with whom he agrees in regarding human morality as a derivative from brute instinct by evolutionary process. This theory is somewhat discredited at present because of its failure to explain rights and duties, neither of which are accounted for by the existence of instincts. Indeed, there are now people rude enough to say that Herbert Spencer is an exploded quack, whose tags and catchwords ought to be discarded. Professor Giddings' difficulty is that he keeps talking about right and wrong without anything to show why and wherefore. The Spartacus group in Berlin, from the same evolutionary premises which Professor Giddings adopts, would regard such views as he expresses as mere bourgeois clap-trap. When it comes to practical advice, all that Professor Giddings can give is,—better go slow. As between socialism and individualism, the duty of the state is to wait "until there shall be a more decisive and satisfying meeting of minds upon the issues involved than is possible now." There are lots of people who will not agree to that but will demand action. Moreover, emergencies have presented themselves which compel action in one way or another. Persons confronted by such responsibilities will get no help from sociology. There is more practical advice in *The Federalist*, written 130 years ago, about the means of establishing the responsible state, than in all the sociological treatises that have appeared from the time Comte invented the term down to the present day.

HENRY JONES FORD

II. BOOKS RECEIVED

AMERICA IN FRANCE. By Frederick Palmer. New York: Dodd, Mead & Company. Pp. 479. $1.75.

A SYLLABUS OF CIVICS. By F. D. Boynton, Superintendent of Schools, Ithaca, N. Y. Boston: Ginn & Company. Pp. 48. 30 cents.

AMERICAN PROBLEMS OF RECONSTRUCTION. A National Symposium on the Economic and Financial Aspects. Edited by Elisha M. Friedman with a foreword by Franklin K. Lane, Secretary of the Interior. New York: E. P. Dutton & Company. 1918. Pp. 471. $4 net.

APPLIED EUGENICS. By Paul Popenoe, Editor of the *Journal of Heredity*, Organ of the American Genetic Association, Washington, D. C., and Roswell Hill Johnson, Professor in the University of Pittsburgh. New York: The Macmillan Company. 1918.

BRITAIN AFTER THE PEACE. Revolution or Reconstruction. By Brougham Villiers. New York: E. P. Dutton & Company, Pp. 249. $2.50 net.

Budget Making in a Democracy. By Edward A. Fitzpatrick, Draft Administrator of Wisconsin, Director of the Society for the Promotion of Training for Public Service. New York: The Macmillan Company. 1918. Pp. 317. $1.50.

City Tides. By Archie Austin Coates. New York: George H. Doran Company. Pp. 191. $1.25.

Commercial Arbitration and the Law. By Julius Henry Cohen. New York: D. Appleton & Company. Pp. 339. $3 net.

Crime Prevention. By Arthur Woods. Princeton, N. J.: Princeton University Press. Pp. 124. $1 net.

Keeping Our Fighters Fit. By Edward Frank Allen. Written under the supervision of Raymond B. Fosdick, Chairman of the War and Navy Departments Commissions on Training Camp Activities, with a special statement written for the book by President Wilson. New York: The Century Company. Pp. 207. $1.25.

League of Nations—Its Principles Examined. By Theodore Marburg, M.A., LL.D. New York: The Macmillan Company. 1918.

National Ideals and Problems. By Maurice Garland Fulton, Professor of English, Davidson College. New York: The Macmillan Company. 1918. Pp. 415.

Social and Industrial Reform. By Sir Charles Macara, Bart. Manchester: Sherrett & Hughes, 34 Cross Street. 1918. Pp. 207. 5s. net.

Survey of the St. Louis Schools in five volumes. Board of Education, St. Louis, Mo. 1917–18.

The A B C of Exhibit Planning. By Evart G. Routzahn, Associate Director Department of Surveys and Exhibits, Russell Sage Foundation, and Mary Swain Routzahn. New York: Russell Sage Foundation. 1918. $1.50 net.

The Causes of Dependency Based on a Survey of Oneida County. Chester Lee Carlisle, M.D., Director, State of New York State Board of Charities, Division of Mental Defect and Deliquency, The Bureau of Analysis and Investigation, Eugenics and Social Welfare. Bulletin No. XV, The Capitol, Albany, N. Y. 1918.

The Enclosures in England—An Economic Reconstruction. By Harriett Bradley, Ph.D., Assistant Professor of Economics, Vassar College (Sometime University Fellow in Economics). New York: Columbia University. Longmans, Green & Company, Agents. 1918. Pp. 112.

The World War and Leadership in Democracy. By Richard T. Ely, Professor of Political Economy in the University of Wisconsin. New York: Macmillan Company. 1918. Pp. 189. $1.50.

Untaxing the Consumer. By William Thum. Pasadena, Cal.: The Grant Press. 1918. Pp. 97.

III. REVIEWS OF REPORTS

A Survey of the Revenue System of Delaware County, Pennsylvania, by Gordon Watkins, a thesis for the Graduate School, University of Pennsylvania. Published by the People's Association of Delaware county, Lansdowne, Pennsylvania.

In this 80 page pamphlet, the author sets forth in close detail the revenue system of a typical county government. He finds it as might be expected, an easy-going countryfied institution in which the expert is conspicuously absent. Property is assessed by guesswork by men who have no knowledge of property values and every reason to undervalue. Tradition is the governing force rather than law or sense. Tax collection is sketchy and numerous tax laws are dead letters. Politicians hand-pick party hacks to be elected to underpaid sleepy routine jobs that are hardly worth taking. Money in small amounts slips away through the limp fingers of the officials. Small properties pay more than their share of public expenses.

While such information will cause no surprise it is important to have our universal impression justified in patient detail and scientifically substantiated without heat or bitterness. It is one of the best contributions to county government literature.

It is when the author turns to remedies that the thesis weakens. The devices he proposes are the very ones that have everywhere failed. Adding an affidavit to a signature, raising pay, getting officials together for mutual education are mere palliatives compared with bolder and deeper remedies such as central county assessment and tax collection by properly-paid appointive specialists who are remote from parochial politics and who hold office for indefinite tenures.

Possibly reasons of expediency and a desire to exercise an immediate influence on the local situation restrained the author's imagination.

Copies of the thesis have been obtained by the Short Ballot Organization, for issue to subscribers to its "Documents of County Government." R. S. Childs.

* * *

"How to Run a City: Who Knows?"—"The fact is that the world knows how to run a city in the best possible way. The world knows it but no one man knows it and no one city knows it. I mean that somewhere in this or other lands, some mayor, fire or police commissioner, health officer, school supervisor or what not is running his particular department better than it was ever run before; more easily, more cheaply, more agreeably to the public.

"Here is where the library comes in. In books, journals and reports, that is, in print, are to be found all of these best ideas; and if you wish to find them, to print you must go.

"Now it is a library's business to take care of all that's in print, to store it and index it and so fix it that it will yield up to the inquirer all that it contains.

"In print somewhere are nearly all the secrets of good city management. Therefore, if you would know how your city should be managed you must call on the library. And here it is."

The paragraphs above were written by John Cotton Dana, the librarian of the Newark public library, known everywhere among librarians for his fertile mind and his gift for publicity. The statement appeared first some years ago in the form of a broadside in *The Newarker*, a publicity organ for the public library, and now reproduced in facsimile in that library's new monthly bulletin entitled *The Library and The Museum Therein* of which the first issue appeared in July, 1918.

One might venture a guess that the paragraphs quoted were written when municipal reference libraries were still something of a fad. Nowadays, it is the business man who is usually pictured as dependent on the public library for the information necessary for efficient management. Public business as well as private business, if efficiently managed, must use the knowledge and experience of the world. The storing and indexing and making available of the useful print of the world is a function of the library—a function so essential and so manifestly unfitted for private exploitation that practically everywhere library service is regarded as a function of government.

C. C. Williamson.

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"War Suburbs and War Cities" has been treated effectively in an illustrated pamphlet by Andrew Wright Crawford, the field secretary of the American Civic Association, Union Trust Building, Washington, D. C. Mr. Crawford points out that while the war has emphasized the necessity of appropriate and adequate housing facilities, "the United States is furnishing the good, the bad and the indifferent as precedents." "Altogether," he believes, "the cause of a better America is being advanced more than we could have hoped for in a generation without the war."

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The Rochester Public Safety Campaign.—Between March 1 and September 1, 1918, a thorough-going public safety campaign of an educational character was conducted under the auspices of the Rochester chamber of commerce and the Rochester local council of the National Safety Council. The report[1] of the campaign by Julian H. Harvey, its director, is one of the most valuable contributions to the literature of public safety. While it is impossible to measure the results of such a campaign in the number of

[1] The Rochester public safety campaign, by Julian H. Harvey, 1918. 149 p. May be obtained from W. H. Cameron, secretary, National Safety Council, Continental and Commercial Bank Bldg., Chicago, Ill. Price, $1.

public accidents prevented, the Rochester campaign did demonstrate that the number of accidents can be reduced. Much valuable experience was gained which is now available through this report to other communities contemplating a similar campaign.

Mr. Harvey's report is divided into three parts: First, the story of the campaign, "What they did, and how they did it." Second, recommended practices for public safety movements, which is full of suggestions for organization and preliminary work, including the use of schools and playgrounds and the various mechanical devices which help to promote the movement

In the third section of the report, the appendix, there is a mass of data which will be helpful in meeting specific problems. Excerpts from speeches on public safety, suggestions for teachers, policemen, railway employes, business men and others, data for talks on slides, posters, bulletins and circulars, suggested publicity, minute films for display in motion picture houses, subjects for photographs, a course of school study in accident prevention, records and filing systems, and a host of other suggestions of practical value. No one contemplating a public safety campaign can fail to obtain from a study of this book, much that is of immediate practical value. WAYNE D. HEYDECKER.[1]

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Sources of Municipal Revenue.[2]—The Bureau of the Census has performed a timely service to city officials in compiling information on certain classes of revenue which may be utilized to offset the loss of receipts from taxes on the liquor traffic. In this report revenues from special assessments, business taxes other than on the liquor traffic, general license taxes and license taxes on dogs are presented in detail for the two hundred and nineteen municipalities which had at the middle of the fiscal year reported an estimated population of over 30,000.

The statistics show a steady decline in the receipts from taxes on the liquor traffic. In 1903 receipts from liquor traffic in cities of over 30,000 population, amounted to 6.1 per cent of the total revenue receipts. This has steadily declined until in 1917 only 3.5 per cent was received from this source.

The data compiled in regard to the use of special assessments in American municipalities will be especially useful. For each of the cities reported upon, a brief summary is given of the purposes for which special assessments are levied. It is interesting to note that western cities in general make a much larger use of this method of paying for various improvements and services. The average proportion of total revenue receipts from this source is 7.8 per cent. It yields over 20 per cent, however, of the total revenue of twenty cities, of which all but four are west of the Mississippi. Charleston, West Virginia, with 38.8 per cent heads the list. It appears also that the smaller cities rely more largely on this method of financing improvements than do the larger.

Complete lists are given showing every kind of license tax imposed on businesses of any kind. For many of the southern cities these lists are very extensive. Atlanta, Georgia, for example, imposes a license on four hundred sixty different kinds of business or occupation. These range all the way from one dollar a year for each sleeping room in a hotel to $500 a day for a circus or wild-west show.

C. C. WILLIAMSON.

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Municipal Coal Yards.[1]—During the past few months the press has given considerable attention to stories about "cities entering the coal business," and reference and research bureaus have been receiving numerous inquiries. A little report on "Municipal Coal Yards" recently published by Ford H. MacGregor, chief of the municipal reference bureau of the University of Wisconsin, is therefore a timely contribution.

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[1] Director of Research, American City Bureau.

[2] "Specified Sources of Municipal Revenue" including special assessments, business taxes other than on the liquor traffic, general license taxes, and cense taxes on dogs, in cities having a population of over 30,000. Washington, D. C., Government Printing Office, 1917. 140 p.

[1] "Municipal Coal Yards," by Ford H. MacGregor, Municipal Reference Bulletin No. 4. Extension Division, University of Wisconsin, May, 1918. 24 p. 10 cents.

After a preliminary discussion of the question of municipally-owned and operated fuel yards, with special reference to the power to undertake such unaccustomed functions, Mr. MacGregor reviews the steps which are reported to have been taken at one time or another toward the sale of fuel in Ashland, Eau Claire, Marinette, Oshkosh, Racine and Wausau. These Wisconsin cities are more fortunate than cities in most other states because of a legislative enactment of 1917 specifically conferring upon the various municipalities the power to establish municipal coal yards. In other states, cities "have been obliged to resort to various indirect and semi-official means of accomplishing that end." Nevertheless a number of cities have embarked in the coal business. Mr. MacGregor cites the following: Bluefield, West Virginia, Columbus, Ohio, Denver, Colorado, Frankfort, Kentucky, Kalamazoo, Michigan, Lewiston, Maine, Menominee, Michigan, Muscatine, Iowa, Omaha, Nebraska, Paterson, New Jersey, and Two Harbors, Maine.

Unverified reports received by the municipal reference bureau indicate that action of this kind has been taken or is contemplated in Evansville, Indiana, Muncie, Indiana, Steubenville, Ohio, Terre Haute, Indiana, Virginia, Minnesota Cambridge, Ohio, Portland, Oregon, Spokane, Washington, Wilmington, Delaware. In Des Moines, Iowa, Dayton, Ohio, Akron, Ohio, Bucyrus, Ohio, and Shelby, Ohio, the city authorities, facing the possibility of closing down essential institutions and activities, have confiscated coal for municipal use.

In closing Mr. MacGregor points out certain questions which should be considered by any city before establishing a municipal coal yard. Adequate supply should be assured in advance; it should be determined whether coal should be supplied only to the needy or to all comers; the city must also determine whether coal will be sold at cost or at cost plus a reasonable profit. The question of a city ice plant should also be considered, as this commodity may be conveniently handled in connection with a coal yard.

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Municipal Ownership: With a Special Survey of Municipal Gas Plants in America and Europe. **By Albert M. Todd.** Chicago: Public Ownership League of America, 1918. viii 122 pp.

Written by Albert M. Todd, president of the Public Ownership League of America, the reader will naturally expect this book to be strongly in favor of municipal ownership and operation of the various municipal utilities. In his preface Mr. Todd states that because of early experiences with corporate bodies operating public utilities he became convinced "that the corporations . . . were not only usurping functions which rightly belonged to the government, but were rapidly becoming so rich and powerful as to be a serious menace to liberty, justice and democracy, in defiance of which, private monopoly ever sought to control the making and administration of law."

Because of this conviction Mr. Todd devoted some thirty years of his life to a study of public utilities, under both public and private ownership, in the course of which he visited a great number of municipalities in the United States and in Europe. In the present volume are presented that part of these studies which bears upon the history and operation of municipal gas plants in America and Europe.

The book comprises thirteen chapters, starting with the basic principles of public ownership and its world accomplishments, and ending with the opinions of eminent authorities upon the subject. The early history and development of the gas industry is traced with painstaking care and a résumé of the present scope of the industry is given. After briefly describing how gas is made the author discusses the financial aspects of the industry and points out the enormous profits derived therefrom.

That municipal ownership of gas plants has developed with considerable rapidity in this country is shown in chapters six to eight which present a history of municipal gas plants in Virginia and Minnesota and show how the model franchise of the model gas company of Indianapolis is paving the way for eventual municipal ownership. The fight for municipal gas in Kalamazoo, Michigan, is next described and the last three chapters deal with municipal ownership in Great Britain and Germany. An appendix (seven sections) contains further interesting data and information such as the model provisions respecting franchises and public utilities in the new charter of Kalamazoo.

Everything considered Mr. Todd has written a very interesting book which stands out in the field of polemical literature because of the considerable amount of statistics and fact information with which his contentions are backed.

Dorsey W. Hyde, Jr.

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How the War Chest Started.—One year ago last April the Baltimore chapter of the Red Cross and the Alliance of Charitable and Social Agencies decided to make a joint campaign to raise a sum of money sufficient to finance their activities for a period of three years. The plan, as worked out, practically amounted to a city war chest along the lines which have since been so widely adopted in other American cities. The pledges received totalled $700,054.95 and the accomplishments of the first year under the plan are outlined in the trustees' report, recently issued, entitled "One Year of The Baltimore Fund."

This report is a commendable example of what can be done in the way of attractive recording of civic achievements. A foreword contains statements by Newton D. Baker and Theodore Roosevelt, commending the Baltimore fund idea.

All things considered, Mr. Roscoe D. Edlund, secretary of the fund (McCoy Hall, Baltimore) is to be congratulated upon a very interesting piece of work.

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War Time City Problems is the title of the proceedings of the ninth national conference of mayors and other city officials of New York state, held at Newburgh, New York, last June. The papers do not deal so much with war-time city problems as with city problems from a war-time point of view. The pamphlet which contains 130 pages is as usual attractively made up, and will be of interest to city officials generally and especially those of New York state.

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Brotherhood in Communities.[1]—"What is being done to promote the principles of universal brotherhood in communities" is the title of a pamphlet reprinted from *Religious Education* for June, 1918, and previously read before the annual meeting of the religious education association. After citing a number of typical cases of social maladjustment, Mr. Harrison instead of attempting to describe in detail the various kinds of agencies for dealing with social problems, sketches three types of effort which embody principles and methods, one or more of which every agency uses. The first is "friendly service in the home," sometimes known as case work, represented by the charity organization society. The second type is represented by the community forum and other agencies for talk and discussion as a means of community advance. The third type of community service is the social or community survey.

"Among the many different agencies for community service are three general types: first, a service which unites, as far as possible, all the resources of the community in meeting the needs of the individual or the individual family, which provides a careful diagnosis with co-operative and friendly treatment of case upon case of abnormal family life; second, a service which leads into new paths of social advancement and community improvement through the exchange of ideas and the spread of enlightened and progressive thought; and third, a community service which would bring all the benefits of science and practical experience to bear upon social conditions, and, through careful analysis of complex situations and effective presentation to the public of findings and recommendations, endeavor not only to correct the wrongs, but to quicken the constructive forces that show promise."

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[1] By Shelby M. Harrison, director, department of surveys and exhibits, Russell Sage Foundation. Price, 10 cents.

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Adult Probation.[1]—In an address on "Current Tendencies in Adult Probation," at the National Conference of Social Work, Edwin J. Cooley, chief probation officer of the magistrates' courts of New York city, has presented an excellent epitome of the condition of probation at the present day. After emphasizing the importance of protection by the judges as a working condition for probation officers, Mr. Cooley describes the three most important improvements in the methodology or technique of probation which are being inaugurated in New York under his direction,—the development of the case system of probational diagnosis of delinquents, the division of the staff of probation officers into a corps of investigators and a corps of supervising officers, and the establishment of a special probation term of court, presided over by a special judge who will devote his entire time to the consideration of probation problems.

Leonard Felix Fuld, Ph.D.

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NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Proposed Progressive Policies in Indiana.—The program of the Republican members of the legislature, who constitute a large majority in both branches, was discussed at two recent conferences, one of the Republican senators and one of the Republican representatives. Governor Goodrich attended both conferences and urged that platform promises be carried out promptly. He discussed the platform pledges, and made a number of suggestions in addition. The platform commits the party to constitutional amendments and to bills in the line of the short ballot, tax reform, a larger measure of home rule for cities, social insurance investigation, good roads, reform in court procedure to give judges more latitude in reformation of criminals, better supervision of the physical condition of children in the schools, the budget system, and power of the governor to veto single items in the general appropriation bill.

A resolution was adopted at both conferences authorizing the governor and lieutenant governor to appoint joint committees of Republican members of the house and senate to prepare bills in keeping with the platform so that they may be introduced early in the session, which begins the first week in January.

The short ballot principle appears in that part of the program, which provides for making the offices of attorney general, state superintendent of public instruction and clerk of the supreme court appointive instead of elective and for combining in a conservation commission the offices of state geologist, commissioner of fisheries and game, state veterinarian, and state entomologist and for turning the duties of the state oil inspection department over to the food and drug department. The office of state geologist who appoints the oil inspectors is now elective. The offices of state commissioner of fisheries and game, state veterinarian and state entomologist are now appointive, and it is proposed to concentrate their duties under one commission. In part, then, the program is for the short ballot and in part for reducing the number of appointive offices, although the proposal to make certain offices which are now elective appointive will increase the number of appointive offices.

Legislative acts will suffice to make the offices of attorney general, state superintendent of public instruction and state geologist appointive because those offices were created by statute and not by the constitution. A constitutional amendment will be required to make the office of clerk of the supreme court appointive. It is proposed that the clerk be appointed by the supreme and appellate courts. No sensible reason has been advanced for keeping this office on the ballot, inasmuch as the duties are mostly clerical and are not such as to engage public interest. It is also proposed that the state board of education appoint the state superintendent of public instruction as a means of keeping the office out of party politics and making surer of a superintendent of high educational qualifications.

The Indiana constitution is not easy to amend. A proposed amendment must be approved by two consecutive sessions of the legislature before being submitted to a vote of the people, and the supreme court of this state has held that to carry, an amendment must receive a majority of all votes cast at the election. It does not carry if it receives a majority on the question, if that majority is not as great as the majority of all votes cast at the election.

The legislature of 1917 started two amendments, one for woman suffrage and one to prohibit the increase of salary or term during the term for which an official was elected. Ordinarily these amendments would come up for approval next January by the 1919 legislature and would be submitted at the 1920 regular election, or at a special election should the legislature decide to call one. It is proposed to reject these two amendments, and start them again next January along with the amendments required to carry out the Republican platform of 1918.

To enable the governor to veto single items in the general appropriation bill a constitutional amendment is necessary. Still others are necessary to open the way to the adoption of the budget system, taxation reform, and to authorize the legislature to classify counties for registration purposes so as to make it unnecessary for "smaller counties to register their vote."

Among bills included in the program is one to enable soldiers to vote in the field. Some of them voted this year under an absent voter's law passed in 1917, but in some respects it is not adapted to soldier's voting.

The plank on home rule for cities is as follows:

> We reaffirm the party's declaration for a larger measure of home rule for cities and the enactment of a law that will permit cities to adopt commission or city-manager forms of government.

The good roads law of 1917 under which federal aid was to be received has been held unconstitutional by a lower court, and the matter is now pending in the supreme court. A substitute for this law has been proposed. While it is not strictly in the legislative program and is not mentioned in the platform, the governor has suggested the advisability of expending about $40,000,000 on roads in the next five years, the money to be derived from the inheritance tax. It is submitted that such a measure would furnish post-war employment.

The program as approved includes a plank in the platform reaffirming the party's declaration for equal suffrage, asking congress to approve a federal amendment to that end, and committing the party to ratification by the Indiana legislature.

It is expected that the national "dry" amendment will be ratified shortly after the legislature convenes. The state is now "dry" by state law.

The governor recommended, and the legislators in conference applauded, proposed passage of the general appropriation bill in the first 30 days of the 60 day session, in order that ample time may be left to consider revenue measures to provide the amounts in the appropriation bill.

With all the legislative and executive branches of the state government in the hands of the Republicans, it is probable that most of the program will be carried out.

* * *

The Municipal Policy of the Non-Partisan League.[1] The fundamental point in the Non-Partisan League policy toward cities is that these organized farmers seek alliances with labor and other advanced elements of the city. Consequently the league strength will be found at all times back of what these advanced or progressive elements want. The farmers rely on these classes in the city to express their own aspirations first, and it would be bad manners at least for the farmers to try to tell the city people what they ought to work for politically.

Everywhere in the northwest, for instance, the progressive city people are demanding home rule and the Non-Partisan League will be found back of them on this issue. The league has recently made it a plank in the Montana platform. In that state the state house rule has been especially vicious, being used as a means of keeping cities from adopting municipal ownership and of foisting upon them gang rule in other essential matters. North Dakota where the league has been in practical control for two years, voted amendments to the constitution brought out under league auspices, that will among other things pave the way for home rule. Home rule is a very big piece of municipal policy. It will go across in those states in which the league wins out, easily because the opponents of home rule are not the plain people but the special interests operating under many different aliases.

Another important point is the effect

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[1] See article "The Non-Partisan League," by A. B. Gilbert, vol. vii, July issue, p. 379.

the working out of the league program will have on cities. With government ownership of the railroads properly administered, state owned cold storage plants, elevators, packing houses, and mills will result in a rebirth of local markets and industry. The little cities of the agricultural states will be performing services that are now performed by the distant large cities with the absurdly costly long railhauls.

The principle of exempting farm improvements from taxation will without doubt be speedily extended to city improvements also. The amendments voted on in North Dakota provide for such exemption. A. B. GILBERT.

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A Gubernatorial Complaint Box.—Governor Westmoreland Davis of Virginia is establishing many new precedents, most of which are designed to bring the state government closer to the people. In the words of his secretary Colonel LeRoy Hodges "persons who have suggestions as to how the state's government could be bettered, those who have a 'big kick' to register, those with simply a 'complaint' to make and those who are critically inclined are invited by Governor Davis to let him have their suggestions, kicks, complaints and criticism in writing, and he will have each carefully investigated. Where it is found the state's service can be improved, these suggestions will be followed up and due credit given to those who offer them. The governor especially asks for suggestions from all state officials and employes."

*

City Manager Notes.—Two more well-known cities have adopted commission-manager charters. *Akron, Ohio*, with a population approximating 100,000 approved the new plan November 5 by a vote of 11,584 to 6,233. (See *infra.*) *Auburn, New York*, with an estimated population of 40,000 entered the new field the same day, but the plan does not become effective until January, 1920. The vote was 3,317 to 2,643. *Fresno, California*, also adopted the city-manager form on November 5.

Two Canadian cities are now operating under the manager plan. *Westmount, Province of Quebec*, has had a city manager since 1913, George W. Thompson holding the office. *Kamloops, British Columbia*, appointed J. J. Carment as manager this fall at a salary of $3,000.

Sault Ste. Marie, Michigan, has appointed Wilder M. Rich as city manager to succeed J. H. Moore who resigned in August. Mr. Rich has served as city engineer at the Soo for some little time and was favorably considered for the manager's chair when the plan was first adopted. Mr. Moore is now manager of the industrial town of Nitrate, West, Virginia.

Two changes are reported from Texas. Jeff D. Bartlett succeeds A. D. Armstrong at *Amarillo* and H. J. Greaser follows Clay Hight at *Tyler*. *Stamford, Texas*, is also reported as operating under the new plan with Edgar A. Burrow as manager.

Goldsboro, North Carolina, has appointed I. M. Cashell as manager to succeed E. A. Beck who entered the Service this fall. Mr. Cashell was promoted from the position of health officer and bacteriologist. His salary is $3000. *Elizabeth, City, North Carolina;* W. A. Jones succeeds J. C. Commander as manager. *Thomasville, North Carolina;* Ira Johnson has been appointed acting manager. *Ocala, Florida*; H. C. Caldwell has been appointed to succeed J. N. Johnston as manager. *Morris, Minnesota;* F. J. Haight was appointed manager October 1, 1918, following S. A. Siverts, Jr., who had served four years. *Phillipsburg, Pa.* has elected the managing secretary of the Chamber of Commerce, J. B. Wiles, as borough manager.

The borough of *Ambridge, Pennsylvania*, and the village of *Wilmette, Illinois*, have created the positions of manager by ordinance. H. R. Hunter, formerly professor of science at Grinnell College and at the College of Wooster, Ohio, is borough manager at Ambridge; salary, $4,500. Mr. Forester is serving as village superintendent at Wilmette. Three other cities are reported to have managers but information is incomplete. They are *Thermopolis, Wyoming;* J. B. Chessington; *Ontario, California;* F. E. Alford; *Columbus, Montana;* Fred Fahrion.

The following cities are reported to be planning campaigns for commission-manager charters; *Glens Falls, Corning* and *Gloversville, New York, Middleboro, Massachusetts; Bristol, Virginia; Ames, Iowa; Shawnee, Oklahoma; Austin* and *Whitewright, Texas.*

Manager C. A. Bingham of *Waltham, Massachusetts,* has started the publication of a municipal bulletin. The first issue appeared in November and its purpose is set forth under the title as follows: "Being an attempt on the part of the city employees to foster goodfellowship and co-operation between city departments; and with the aid of interested citizens to improve our city. Each department and also the city employees union has a contributor. Published occasionally for free distribution. Articles and suggestions can be addressed to The Bulletin, City Hall, Waltham, Massachusetts. Anonymous can be addressed The Waste Basket."

The first issue is full of good things and the second, which has just appeared, indicates that the publication is performing a very real service. William T. Hunter has been appointed city manager of *Roanoke, Virginia;* salary, $4,800.

Harrison Gray Otis.

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A Municipal Reconstruction Program for St. Louis.—The St. Louis civic league has just adopted a municipal reconstruction program, based on its general platform adopted last year to oppose special privilege in government. It is as follows:

> Not the least of the problems of post-war reconstruction is that of municipal reconstruction. The public utility question alone in municipalities is of great importance. Unless urgent and forceful methods are taken to readjust conditions in cities the country will be thrown into a state of instability and disturbance. The new significance which has been given to the term democracy requires a speedy attention to city governmental conditions. The civic league, in accordance with its platform of principles, seeks to combat special privilege in government and to improve local conditions. The various combinations of difficulties facing honesty and efficiency in local government, as we see it, arise from causes which are all part of one cause—special privilege in government.
>
> To weaken special privilege and secure honesty and efficiency in local government, the League has pledged itself to the following general program:
>
> First: It will carefully look into the record of all candidates for public office, publishing the facts for the guidance of the voters of the city, in order that they may be able to judge of the merits and abilities of candidates, and of their intentions to serve all the people or a favored few.
>
> Second: It will strive for the perfection and adoption of such a system of elections as will enable public spirited citizens to go into public office unpledged to serve any interest except that of the general public.
>
> Third: It will study the problems of municipal life and government as they obtain in other cities as well as in our own, in order to learn, make public and secure the adoption of means by which St. Louis will become a more wholesome, a healthier and a happier place in which to live and prosper.
>
> On the basis of the above, we specifically stand in our reconstruction work for the following definite steps:
>
> 1. Municipal ownership as the final solution of the confused utility situation.
> 2. The short ballot and the secret ballot.
> 3. Proportional representation in our municipal assembly.
> 4. Non-partisan system of municipal elections.
> 5. Revision of municipal court system.
> 6. Full and fearless publicity in regard to candidates for public office, with specific recommendations of the most desirable.
> 7. To remove technical obstacles to any of the above steps, the immediate creation of a state constitutional convention.
>
> Step by step we hope to push forward the above measures. In all earnestness of purpose, we ask the co-operation of earnest men and women in St. Louis in accomplishing these objects.

L. F. Budenz.

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California's Constitutional Amendments. San Francisco Consolidation.—The final results on the propositions voted on by the people of California at the recent election have just been published. The figures follow.

No. 1—Liquor regulation	236,778	341,897
No. 2—Deposit of public moneys	239,203	180,856
No. 3—Usury law	231,147	212,207
No. 4—Absent voters	189,845	252,387
No. 5—County government	195,998	183,610
No. 6—Courts	86,132	274,231
No. 7—Los Angeles County funds	183,994	178,970
No. 8—University of California	249,886	148,305
No. 9—Appellate court divisions	188,243	169,803
No. 10—Borough governments	179,627	171,735
No. 11—Exemption cemeteries	170,296	302,325
No. 12—Reimbursing cities	115,727	262,421
No. 13—Condemnation of rights of way	212,011	179,976
No. 14—Taxation exemptions	166,486	290,573
No. 15—State budget board	96,820	261,311
No. 16—City of Venice indebtedness	188,349	167,647
No. 17—Tax levy limitations	127,634	259,626
No. 18—School tax limitations	167,049	227,953
No. 19—Land values taxation	118,088	360,334
No. 20—Health Insurance	133,858	358,324
No. 21—Dentistry	200,475	314,713
No. 22—Prohibition	275,643	306,488
No. 23—Workman's compensation	229,974	224,517
No. 24—Stockholders' liability	178,355	196,948
No. 25—Eminent domain	138,131	228,324

Ten amendments carried, fifteen were defeated. Of the amendments which passed the one of most significance from our point of view is number five which opens the way for the final steps of the consolidation of the cities on the East side of San Francisco Bay into a consolidated city and county. It provides in substance: That a board of freeholders may be elected to prepare a charter for the consolidated city and county which charter will be submitted to the voters at the same time that the consolidation proposition is submitted. This does away with the general obstacle we have heretofore met; that of unwillingness on the part of the people to commit themselves to a consolidation without knowing its terms.

The other measures of interest from the municipal point of view, which were adopted, are the deposit of public moneys —a measure which gives the legislature power to determine the conditions under which public money should be deposited; —a measure for the relief of certain cities, Los Angeles and Venice, which had by error violated certain of the financial restrictions of the constitution. The most important among the measures defeated, from a municipal point of view, was the last proposition on the ballot which provided for excess condemnation.

Thomas H. Reed.

Constitutional Revision in Illinois.—The advisory referendum on the subject of a new constitution for Illinois was carried by a majority of all the male voters of November 5. The official canvass of voters showed a majority of between 74,000 and 75,000. The next step will be the call of an election to elect the delegates. This will be determined by the legislature which meets January 1. Judge Orrin C. Carter of the supreme court, who was chairman of the committee in charge of the campaign, writes that he assumes the election of 102 delegates, two from each senatorial district, will be held sometime next summer or autumn. The campaign committee was continued and nine men were appointed to report as to the plan to be recommended to assist in choosing the best men for delegates.

The delegates must be "elected in the same manner, at the same places and in the same districts" as members of the senate. According to a statement by the Chicago city club, "Differences of interpretation of this last requirement may have an important bearing on the character and personnel of the convention. A non-partisan election of delegates with nomination by petition is generally conceded to be desirable as a means of eliminating party bias from the deliberations of the convention. If only constitutional provisions for the election of members of the senate must be observed in the election of delegates there is no legal obstacle to the adoption of such a scheme. If, on the other hand, all statutory provisions must be observed, the election will have to be on present party lines, and possibly even nominations will have to be made in party primaries. Precedent in the framing of the present and former constitutions of Illinois supports the view that statutory provisions must be taken into account. On the other hand, arguments based on divisions of the courts and the precedent set by Ohio in holding a non-partisan election for delegates to its constitutional convention are presented to sustain the former interpretation. This is one of the difficulties which the legislature will have to iron out in preparing its call for the election. There is no provision in the constitution which determines the date for the election of delegates, unless the clause previously quoted be interpreted to mean that delegates must be chosen at the same time as members of the senate. Neither logic nor precedent, however, seems to justify this interpretation, and it is believed that there is no constitutional objection to a special election for delegates, if the legislature should see fit to provide such an election. There will be no general state-wide election until November, 1920. Besides fixing the call for the election, the general assembly is required by the constitution to designate the time and meeting place for the convention, fix the pay of delegates and provide for the expenses of the convention. The convention must meet within three months of its election, and the alterations or amendments which it proposes must be submitted to the voters of the state for ratification or rejection within two or six months of adjournment. The passage of the necessary legislation by the general assembly, the election of delegates, the deliberations of the convention and the ratification of amendments will consume, it is estimated, at least two years of time."

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The Massachusetts Constitutional Amendments.[1]—All the amendments submitted by the constitutional convention at the election on November 5, have been carried.

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The Ten Constitutional Amendments in North Dakota were voted upon by the voters November 5. Three of these were referred to the voters by the last legislature—giving the legislature power to levy an acreage tax to provide for state hail insurance; giving corporations the right to limit the voting power of stockholders; providing that at least four of the five judges of the supreme court must concur in any decision declaring a law of the state unconstitutional. These each received a majority vote of about 20,000, and at the recent meeting of the state canvassing board were declared adopted, thereby immediately becoming a part of the constitution of the state.

The remaining seven amendments were initiated by the Nonpartisan League. No. 1 provides for a modification and extension of the initiative and referendum as applied to legislation; No. 2, for the immediate taking effect of emergency measures; No. 3, that a constitutional amendment must receive a majority of the votes cast thereon by the voters to become a part of the constitution; No. 4, that the legislature may exempt personal property, including buildings and improvements upon land, from taxation; No. 5, that the legislature may levy an acreage tax for hail indemnity. No. 6, that the state may issue or guarantee the payment of bonds, such bonds in excess of $2,000,000 to be secured by first mortgages upon real estate or upon the property of state-owned utilities. The amount of bonds that may be issued upon the latter security is limited to $10,000,000; No. 7, that the state, or any county or city, may make internal improvements, and may engage in any industry, enterprise or business not prohibited by the Constitution.

These amendments received majorities ranging from 12,000 to 22,000 votes, have been declared adopted by the state canvassing board, and now go before the legislature at the coming session for adoption by that body. As that body is overwhelmingly nonpartisan, there is little doubt but that they will become a part of the constitution of the state.

According to the constitution of the state an amendment to become a part of the constitution must receive "a majority of all of the legal votes cast at such general election." A considerable discussion has arisen over the interpretation of this phrase. Women are permitted to vote for state superintendent in this state. Counting their votes as "legal votes" none of the amendments received a majority of all of the votes cast. The candidates for governor received the largest number of votes cast for any of the candidates. One amendment, that relating to constitutional amendments, lacked about

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[1] See NATIONAL MUNICIPAL REVIEW, vol. vii, p. 643.

250 votes of receiving a majority of the number cast for governor. The vote for governor was somewhat less than the total vote. The three most cherished measures of the league, the ones regarding constitutional amendment, the debt limit, and public ownership—the ones upon which the league program was dependent—lacked from two to four hundred votes of receiving this majority. In the confusion the attorney general was appealed to. In a lengthy decision, backed by two decisions of the state supreme court, he maintained that the votes to be counted in deciding whether or not any of these amendments had passed were those votes only which had been cast for or against the particular amendment. Accepting this decision, the canvassing board by a three to two vote declared all ten amendments adopted.

E. T. Towne.[1]

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A New Constitution for Missouri?—The pressure of reconstruction problems and the example of its neighboring states of Illinois and Arkansas has resulted in a strong movement for a new state constitution in Missouri. On December 9, at the call of Mayor Cowgill of Kansas City, a large gathering of the Missouri mayors was held there to consider the necessary moves to obtain a new fundamental document. As a result, "a new constitution league" was established, with which the great majority of the municipalities of Missouri have become affiliated. The spirit evidenced at the meeting was one of keen appreciation of the fundamental needs of the state and of the proper method to meet those needs. The public utility question came up for consideration, amendment of the public service commission law being also a part of the program. The meeting went on record in favor of such amendments to the law as would take the control of local utilities out of the hands of this commission.

In regard to the new constitution: The meeting's resolutions declared that the reconstruction problems facing the state; the impossibility of the state to function properly under the constitution devised to meet the needs of 1875; the constitutional hampering of cities in their development, government, revenue, and control of utilities; the inadequate resources of the public education system, particularly of the rural school; and the difficulty of obtaining relief in any of these items without a constitutional convention, made the calling of such convention an absolute necessity. Because of the strong political forces which have been enlisted in support of the new constitution, its creation in the near future can be looked for. Governor Gardner has announced that he will support the proposal, and will recommend it to the legislature in his message.

Louis F. Budenz.

◆

Ohio's Constitutional Amendments Adopted.—The two amendments submitted on November 5, one prohibiting the sale and manufacture of intoxicating liquors as a beverage and the other known as the classification amendment providing that "the subjects of taxation for all state and local purposes shall be classified and the rate of taxation shall be uniform on all subjects of the same class and shall be just to the subject taxed," were adopted by majorities of about 40,000 votes.

◆

A Single Chambered Legislature for Oklahoma.—The creation of a unicameral legislature is being urged by the Oklahoma municipal league. At its recent meeting in Oklahoma City a resolution memorializing the state legislature to take steps to create a single bodied legislature as making for greater state efficiency was passed unanimously.

◆

Comparative Civic Interest and Undiscriminating Votes.—Under this caption the municipal league of Los Angeles has published the following analysis of the vote on the charter amendments submitted at the election on November 5, which constitutes an interesting study in the actual operation of the initiative and referendum:

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[1] Professor of Political Science, University of North Dakota.

Total Registration...189,924
Total Vote (Approximately) 100,000..................................55 per cent
This small percentage is accounted for in part by an epidemic of influenza and the absence of many in war service.

Undiscriminating Opposition:

The "undiscriminating opposition," in part influenced by the widespread advertisement of the municipal *taxpayers'* league ("Vote *no* on all amendments"), can be quite accurately gauged by the approximately 25,000 negative vote on the *colorless amendments—Nos. 11 and 12* on this list.

(No. 11—Making it clear that the city's right to construct tunnels is broad enough to include the right to construct tunnels and subways for traffic as well as sewers.)

(No. 12—Empowering the city to use general state laws applicable to cities.)

	Measures on the November Ballot 1918	Total Vote	Against			For	Result if only Discriminating Votes had Voted for and against
			Total	Undiscriminating Opposition	Discriminating Opposition		
1	Jitney (Lost)	77,136	51,554	(Approximately) 25,000	26,554	25,582	Lost (Same)
2	Sunday Closing (Lost)	76,976	60,586	"	25,586	26,390	Won (Reversed)
3	Rominger Ordinance (Lost)	75,108	48,624	"	23,624	26,484	Won "
4	Harbor Sewers (Lost) (2-3 vote)	68,136	30,653	"	5,653	37,485	Won "
5	Natural Gas (Won)	64,157	31,633	"	6,333	32,524	Won (Same)
6	Pension All City Employes (Lost)	63,185	38,641	"	13,641	24,544	Won (Reversed)
7	Purchase Power District System (Lost)	61,987	32,005	"	7,005	29,982	Won "
8	District Representation (Lost)	61,034	36,252	"	11,252	24,782	Won "
9	Library Tax (Won)	60,959	29,194	"	4,194	31,765	Won (Same)
10	Additional 10 cent Tax (Lost)	20,219	46,863	"	21,663	13,556	Lost "
11	Build Tunnels (Won)	55,252	23,958	"		31,294	Won "
12	Use State Laws (Won)	55,016	24,870	"		30,146	Won "
13	Civil Service (Lost)	53,494	35,843	"	10,843	17,651	Won (Reversed)
14	Increased Pensions (Lost)	53,290	34,019	"	9,019	29,271	Won "

Akron's New Progressive Charter.[1]—The new charter for Akron was adopted by a vote of 11,584 votes for and 6,223 against, with about 70 per cent of the registered voters voting on the proposition. The charter was carried with practically no publicity campaign. During the week immediately preceding the election, statements from a few of the leading citizens endorsing the charter were published, including the present mayor and the ex-mayor. A number of citizen organizations including the central labor union endorsed the charter and these endorsements were published.

Owing to the ban on public gatherings on account of the influenza epidemic, no public meetings were held. The success of this charter election is due partly to the fact that the people have been kept informed through the newspapers of the progress made while the charter was being written, but more particularly to the fact that the citizens have confidence in the character and ability of the fifteen charter commissioners. These men went at their problem in a straightforward open-minded fashion and spent six months in studying the problem of city government before they undertook to formulate the charter. During this time, citizens were frequently urged to attend the sessions and take part in the deliberations. The result of this method of approach was that no dissension or disagreement developed among the members of the charter commission and the people realized that the commissioners were taking their work very seriously, which tended to create an established confidence in their work.

The three newspapers all supported the charter, each one coming out editorially in favor of it.

D. C. Sowers.

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[1] "Akron's Two Ways of Drafting a Charter," by George P. Atwater. Vol. vii (September issue), p. 500.

Baltimore Has Adopted a New Home Rule Charter which is merely the old charter with a very fair application of the merit system to the city appointments, postponed, however, in its operation until January 1, 1920, a concession to the politicians, which did not at all disarm their hostility to the measure. It is encouraging to find that the merit system was endorsed in Baltimore by a handsome popular majority. The reason of the readoption of the old charter was to bring it within the provisions of a constitutional amendment recently adopted, giving to cities and counties in the state large powers of local government. By its readoption the charter has become an act of local rather than of state legislation and is subject to the restrictions of constitutional amendments amendable by the people of the city at any time they may say.

◆

Street Railway Executives and Public Ownership.—As an interesting supplement to the article appearing in the last issue of the National Municipal Review was the paper read by the president of the United railways company of St. Louis, Mr. Richard McCullough, to the American electric railway association, which met in New York on November 1, 1918. Mr. McCullough there presented all the arguments in favor of municipal ownership with the exception of the strongest: that private ownership had debauched municipal politics. He frankly confessed that public ownership would secure better service to the public, could be more readily financed, and would lead to generally improved transportation conditions. A motion pledging the street railway executives to public ownership of transit facilities received a surprisingly warm welcome from the meeting, and was referred to the executive board for final action. This attitude of the street railway executives on public ownership opens the way to a constructive solution of the problem. Formerly, their obstinately antagonistic attitude was the chief obstacle in municipal ownership progress. They can do a great service by exerting all of their influence toward amendment of the bonded indebtedness provisions of state constitutions. Louis F. Budenz

The resolutions unanimously adopted at this meeting were equally interesting and suggestive and for that reason are reproduced herewith. In this connection our readers will be interested in the views set forth by Dr. Delos F. Wilcox in his article published in the earlier part of this number (footnote, p. 33).

Tne whole structure of the franchise relationship between electric railways and the various communities has broken down under the strain of the war. The rapid increase in the cost of all material, the extraordinary demands of labor made necessary by the rise in the cost of living, the alarming decrease in the purchasing power of the nickel, have brought the electric railways of this country face to face with bankruptcy.

Practically every other industry except public utilities, whose rates are regulated by law, has been able readily to adjust its methods of doing business to meet the war demands, and the radical increases in the cost of operations and of manufacture have been promptly reflected in the selling price, and so passed on to the consumer. In all other departments of our commercial and industrial life where the economic laws of supply and demand have been unhampered and allowed free play, the inevitable increase in the cost of production has been taken care of in the perfectly normal way of increased cost to the consumer.

It is only in those industries where the public has attempted to fix a just and fair price for service rendered and where the artificial standard has been substituted for the natural one, that we find this complete breakdown under war conditions.

Industry generally was never so prosperous, notwithstanding the increase in the cost of labor and material. The public utilities, and especially the electric railways, present practically the only exception to this rule of prosperity. They, od the contrary, are steadily being destroyen by the war.

A tabulation of 388 electric railways, representing over 63 per cent of the electric mileage of the United States, shows a falling off in income of 82 per cent for the first six months of 1918 as compared with the corresponding period of last year. Many of the companies are facing an actual operating deficit in spite of the increase in gross receipts. The scale of wages established by the National War Labor Board in cases already decided, applied to the industry generally, dd over $100,000,000 to its already y increased operating expenses.

a consequence of the rapidly mounting osts of operation and the steadily ing net income, the financial standing the electric railways has been seri affected, and it is no longer possible tact new capital for the efficient tion of the properties in the interest public.

ese facts lead inevitably to the conn that the present relationship be the companies and the public, as nced by existing franchises with rates of fare, is economically un; that the present system of regu fares by franchises or commissions nittedly not sufficiently responsive lent and radical charges in operating tions. Under the present system, before the company can justify an increase of its fare it must first show that for a longer or shorter period it has suffered loss under the existing fare, which loss cannot be compensated for by the new rate. In any other business, the prudent manager is able to provide against increases in cost by promptly advancing his selling price.

The electric railway must stagger along under the five-cent fare for months until its credit is destroyed, its service impaired, its equipment deteriorated, and it has become obvious to the community that it is on the brink of destruction before its case has been sufficiently made out to justify an increase in its rate.

The declaration of war found the electric railways thoroughly unprepared for the problems thrust upon them. Without in any way lessening our efforts to win the war by supplying this essential service to the public, it would seem to be the part of wisdom for us to take up for serious consideration the problems of peace.

Of all the problems of readjustment which this nation will have to meet and solve after the war, none will be more serious or more difficult than that of the electric railway industry. In the light of our experience as emphasized by war conditions, it is manifest that to insure the efficient operation of the electric railways of the country after the war, there must be a recasting of the entire basis of the relationship existing between the electric railways and the communities they serve.

In many cases, electric railway franchises, which had come to be considered as valuable assets, in the light of recent experience have been proved to be liabilities. Already there is a growing recognition of this fact in different parts of the country, as evidenced by the "operation at cost" plans recently adopted in Boston, Chicago, and Cincinnati.

In the past, the sole interest of the community has been thought to be in the service rendered, but with a broader conception of the underlying problems involved there is a growing tendency to recognize a community of interest in the problems of profit and loss, as having a direct and immediate bearing upon the rate of fare.

Now, therefore, *be it resolved* by the American Electric Railway Association:

1st: That it is the deliberate judgment of this association, that, in the light of the experience of the industry during the war, the entire subject of the relationship between electric railway companies and the public should have, now and during the reconstruction period following the war, the most earnest consideration of the representatives of both the public and the companies.

2nd: That among other things, a radical revision of electric railway local franchises should be made, if the industry is to continue to render efficient service to the public.

3rd: That a committee be appointed by the president of the association, whose duty it shall be to make study of reconstruction problems, particularly those relating to local franchises, and report their recommendations at an early date.

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Chicago Rejects Trustee Traction Plan.—At the election of November 5 last the voters of Chicago defeated the proposed traction ordinance that was submitted to a referendum vote. The majority against the ordinance was 34,723.

The ordinance embodied the trustee plan of management, somewhat similar to the plan applied to the Boston situation some months ago by the Massachusetts legislature. In Boston, where the plan was put into effect without a referendum vote, the trustees to manage the property are five in number, appointed by the governor of the state for ten year terms, subject to removal for cause. In Chicago, the plan as embodied in an ordinance formulated by the city council called for the unification of surface and elevated lines, and the management of the unified system by a board of nine trustees, agreed upon in advance. Three of the nine men designated were important officials of the companies now in control. The first board was to serve until 1927 without reservation of the power of removal. After 1927 the trustees were to be named in such manner as the city council might designate.

Enabling legislation from the general assembly of the state would have been necessary to make the plan effective. An extensive construction program was outlined in the ordinance which it was claimed would have increased the local transportation facilities of Chicago by 150 per cent. There were to be subways, as well as elevated and surface line additions to the unified system.

The campaign over the ordinance was bitter and excited much popular interest, even though the war at the time tended to distract public attention from matters of local concern. The chief arguments against the ordinance were that the valuations of existing properties were too high; that the guaranteed rate of return was excessive and would lead to large fare increases; and that the tenure of the first board of trustees was too long. There was also dissatisfaction with the personnel of some of its proposed trustees, especially those connected with the present traction companies.

⁂

Taxing Municipal Bonds.—The pending federal revenue bill as passed by the house of representatives included for taxation interest from municipal bonds and other obligations of states and sub-divisions of a state, when issued after the passage of the act. This provision was stricken from the bill by the Senate Finance Committee on October 17. Inasmuch as such obligations have previously been considered exempt from federal taxation (*Pollock* v. *The Farmers' Loan & Trust Co.*, 158 U. S. 601; 1895) and as such taxation may again be seriously considered the constitutional question raised deserves consideration.

The argument for the constitutionality of such a tax is now based on the sixteenth amendment to the Constitution, which provides that "Congress shall have power to lay and collect taxes on incomes whatever source derived, without tionment among the several state without regard to any census or enu tion." It will be recalled that Mr. H then governor of New York, oppose amendment because he believed it give the federal government the rig tax municipal and state bonds. Se Root, replying to Mr. Hughes, sai words "from whatever source der did not apply to any of the instrume ties of the state government. In th come-tax law it was provided tha computing net income the interest on and municipal bonds should be excluded. In *Stanton* v. *Mining Co.*, 240 U. S. 12; 1916, the court said in a unaninous opinion: "The provisions of the sixteenth amendment conferred no new power of taxation." In *Peck* v. *Lowe*, decided May 20, 1918, the court said the sixteenth amendment "does not extend the taxing power to new or excepted subjects, but merely removes all occasion, which otherwise might exist, for an apportionment among the states of taxes laid on income, whether it be derived from one source or another." Those who argued the unconstitutionality of the house provision relied chiefly on these two cases. The house committee was in doubt as the constitutionality, but decided to resolve the doubt in favor of the government.

It is estimated that at present there are between four and a half and five billions of state, county, and municipal bonds. The object of the proposed tax was to force big investment capital into government bonds, subjected to heavy surtaxes. The argument was made that municipalities going into all sorts of business enterprises should be required to demonstrate their ability to conduct them upon the same basis of costs as that upon which private owners must conduct enterprises of the same kind; obviously an attempt to make the extension of municipal ownership and enterprise more costly and difficult. A proposal to include for taxation previous issues of bonds was defeated 61 to 132 in committee of the whole. Taxation would reduce the yield and hence the value of the bonds. To give the same yield interest rates would be higher, thus increasing the state and municipal tax rates. This would endanger many projects where there are constitutional or statutory tax limitations, besides burdening the tax-papers.

Noel Sargent.

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Zoning.—The cities now having zoning schemes are New York, St. Louis, Los Angeles, Fresno, Berkeley, Minneapolis and Alameda. Of the above ordinances those of Los Angeles and Minneapolis refer only to the use to which buildings may be put. The Minneapolis ordinance is not a city-wide ordinance, affecting only parts of the city. The New York, St. Louis, Berkeley, Fresno and Alameda ordinances regulate the height, use and area of buildings. In addition to the above cities, Boston and Washington, of course, have a comprehensive system of districts limiting the height of buildings. These two cities, however, do not regulate the use or area of buildings by districts. Newark, Jersey City, Cleveland and Baltimore are now actively contemplating the adoption of zoning schemes.

Salary and Service Standardization.—During 1918 the following studies in this subject were published:

Civil Service Plan for the County of Milwaukee Including Classification and Standardization of Personal Service, Civil Service Rules and Regulations and Constructive Recommendations for Positive Employment Administration. Prepared on the Authorization of Milwaukee County Board of Supervisors by the Milwaukee County Civil Service Commission, and published in November.

The civil service act and rules for the Milwaukee county government went into effect and operation on January 1. This report also contains standard specifications for personal service including services, grades, titles, duties, qualifications, lines of promotion and compensation of positions in the county classified civil service.

Classification and Standardization and Description of Duties of Positions in the Classified Service of the City of St. Louis.

Standard Specifications for Personal Service and Classification of Competitive Positions in the Service of the City of Cleveland.

W. C Beyer.

II. POLITICS

The resignation of Commissioner E. E. Lafaye of New Orleans is a disaster it seems to those of us who have been working for better government here. It is due to a combination of circumstances. The outstanding one is the offer of a better job by a large local bank just at the time when the governor's refusal to approve the bill allowing the commission to raise the salary of its members made it impossible for the city to bid for his services against any private employer.

It has been known all along that Mr. Lafaye was serving the city at a heavy pecuniary sacrifice, his salary as commissioner of public property being considerably less than the amount he was making in business before he entered public office. He alone of the four commissioners found it necessary to devote his entire time to the work of his department; and to sever all his business connections in order to be free from any possible suspicion of graft. His family is of the large patriarchal type common among Louisiana Creoles, and he has the Creole pride in maintaining all family obligations to the uttermost. As a result, his household is an expensive one, and he has kept up his *menage* during the last six years by mortgaging his private property. He has received more than one tempting offer to return to the business world, but has declined them hitherto because he had set himself certain tasks to do before he went out of office.

This summer, however, the war had made the immediate accomplishment of those tasks impossible. And meantime his own problems had increased.

Thus after six years of service he finds himself obliged to face the alternatives of getting into active business life again or of becoming entirely dependent upon his political position. And he has believed all along that his strength and political prestige lay largely in the fact that he could quit at any time. He has feared to remain in office until he became a "professional job-holder."

The salary-raising bill which failed to pass was intended by its proposers to enable the pay of the commissioner of public property, *and his alone*, to be raised. There was a general recognition of the fact that his post was more exacting than any of the others—that Commissioner Lafaye was in effect a "city manager" and that he was worth to the city several times as much as he was getting, and several times as much as any other commissioner. Because he, and he alone, had taken the trouble to master the details of the tangled municipal finances, and to straighten them out by long hours of work, often at night; to take up the problems of the public utilities, railway, light, and gas; to undertake the establishment of the Delgado trade school, as well as the reform of the paving laws; the sanitary and economic disposal of the city's garbage; and the remodeling of the city markets, he has dominated the affairs of the council, and given the administration of Mayor Martin Behrman a reputation for progressiveness which was due entirely to his own energy and that which he inspired in loyal subordinates like the superintendent of the municipal repair plant, T. L. Willis, who has just received a deserved promotion to the post of city engineer.

By tireless efforts, infinite patience and skilful diplomacy, Mr. Lafaye has taken the fundamental problems of the city administration one by one, and begun their solution. Realizing that finance was the base of each, he analyzed the city's finances, and found that the interest-payments sapping the foundations were largely due to the extravagant sums paid for paving each year,—80 per cent of the public improvements going into paving of inferior quality, of which the city was paying 90 per cent instead of 25 or 33 as in other cities.

This he stopped first, by revision of the paving laws and painstaking scrutiny of all specifications, getting better paving for less money; and placing the municipal repair plant on an efficient basis.

Next he took up the matter of refinancing the city, so as to put it on a cash basis. The solution of this problem was less happy, as it substituted 50-year bonds for the short-term certificates, and burdened the city with a load of interest which might have been avoided had the next step—raising the assessments to full value —been taken first. But it was done at the dictation of the large banks which held the whip-hand over the city because of its heavy indebtedness to them.

When, this year, the full value assessment was made in accordance with the requirements of the state board of affairs, it was not done scientifically, but even the crude methods used produced a substantial increase in revenue. In addition, Commissioner Lafaye had a revision of the general licenses made, which added to the revenue almost as much as the amount which the city will lose by the deduction of the liquor licenses due to war-time prohibition.

However, these gains are offset by the unlooked-for increase in wages and materials caused by the war, which have made it just as hard to make the budget balance this year as ever before. It has been a great disappointment to this ambitious young commissioner to find his whole six years of work apparently nullified.

"After all my efforts to save, and to create new revenues in order to have funds with which to carry out highly necessary projects for civic betterment," says he, "I found, this summer, that the prospects for the coming year were not worth further sacrifice of my time and energy. Owing to the war, all plans for the garbage reduction plant, for the Delgado trade school, for paving and street beautification and market improvement, were indefinitely postponed. Instead of having a surplus of a million or more dollars for public improvements, which we had hoped for as a result of all our work, we had great difficulty in making a budget to cover actual necessities. I faced the prospect of beginning all over again where we were six years ago—and I felt that my duty to my family would not permit me to give six years more to the public service, and find myself at the end of that time, a professional office-holder.

"It has been a disappointment to see six years of work go for nothing," admits the commissioner. "Yet, it has been an experience worth while. No one else can ever know how much pleasure I have found in working out these big problems,—and doing it without sacrificing the claims of humanity. And there are still some very pretty problems to solve—such as the street railway and light and gas question, on which I expect the report of F. W. Ballard of Cleveland to throw much light. It is the prettiest opportunity ever a city had to take over its own utilities and make them a paying asset by intelligent management. But," he adds, "some one else will have that pleasure now."

He promises, however, to maintain his interest and zeal in public affairs. Besides becoming vice-president of one of the largest banks in the city, he has just been chosen vice-president of the New Orleans association of commerce. And the opinion seems to be practically unanimous that he will some day return to public office under more fortunate auspices.

The recent defeat, by about, 3,600 votes, absolutely ring-controlled, of the state amendment for woman suffrage passed by the last legislature, has been laid entirely at the door of Mayor Martin Behrman who stubbornly and defiantly set his face against the opinion of the state at large, the platform of the Democratic party, the expressed wishes of the president and the governor, and the advice of the national Democratic committeeman for Louisiana. It is generally conceded that for once this shrewd ward boss underestimated the force of a political current, and that his political days are numbered. Resentment of his autocratic domination is not confined to woman suffragists nor to his political opponents. Even his friends admit that this final bit of arrogance has broken his neck.

Those who hope for better municipal government here see the wisdom in Commissioner Lafaye's retirement at this time and look to his return within two years. In any event, his work has set a standard which will make it hard for an incompetent or indolent man to follow him. He has enacted legislation which can be used to safeguard the city from the greed of paving contractors; has improved the market ordinances and built at least one modern sanitary market; has fought one successful battle with the lighting monopoly, and placed the city in the position of the dominant party in the 10-year contract for street lighting; besides completing a large amount of street paving and making the municipal repair plant an efficient tool instead of a scandal. These things he has done almost single-handed.

They are only a fraction of the things he has hoped to do,—and this is why public sentiment is unanimous that he must be returned to the city hall to finish his task and "pull New Orleans out of the mud."

ETHEL HUTSON.[1]

◆

Detroit Progressives Win.[2]—Detroit progressives won a substantial victory at the election, placing the entire city administration for the next three years in the hands of a mayor and nine councilmen who were backed by the forces responsible for the revised charter. The result vindicates the course of the Detroit citizens league for the past two years, as sponsor for the new charter. It sustains the view of those who preferred a conservative revision, with a small council and a mayor of large powers, rather than another radical charter, such as was defeated four years ago, or the city manager plan at this time. The citizens defeated the attempt to inject religion into politics, they permanently shelved two candidates who had been charged with grafting, and secured a non-partisan administration in which representation by groups fairly takes the place of the old ward system.

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[1] Miss Hutson, who was formerly on the editorial staff of the *New Orleans Item*, is now on the staff of New Orleans association of commerce.

[2] See W. P. Lovett's article "Enlistment of Workingmen in the Cause of Better Government," NATIONAL MUNICIPAL REVIEW, vol. vii, p. 599.

James Couzens, former police commissioner, will become mayor January 1, 1919, chosen by a majority of about 9,000 over William F. Connolly, an active member of the Democratic national committee and chief promoter of Henry Ford for United States senator. The mayor has large administrative and appointive powers, not far removed from those of an elective manager. The nine councilmen serve for $5,000 per annum, normally on a two year term, but in the first instance three years, as does the mayor. Six of the new councilmen are of the distinctly progressive type, another was one of the charter framers, and the two remaining, while belonging to the ward type in the present council, and lack the modern civic vision, yet will co-operate in normal advance programs.

Of the nine elected five are in the old council, two represent the "modern business man" element, and another stands for labor, both union and non-union. The Polish people, having about 100,000 in the city, are represented. Thus the idea of democracy is not sacrificed to efficiency.

Alderman John C. Lodge, for some years the leader of the reform minority in the present 42-member council, which dies January 1, 1919, will be president of the new board by virtue of having received the highest number of votes. Walsh and Glinnan, the two undesirables exerted themselves to the utmost in the campaign, but in the list of 18 nominees they ran fourteenth and eighteenth. This in itself is a great achievement for the better Detroit. Castator, a stalwart young man unknown politically, was elected as labor representative, though bitterly opposed by a ring of unionists who assume to control the Detroit federation of labor.

Abolition of ward lines and substitution of the non-partisan at-large system of elections, threw the city open to a grand scramble for place. The 66 candidates in the primary were reduced to 18. The campaign was enlivened by a five-ring circus of political combinations, in which religious lines were much in evidence. The old gang elements in the present council promoted the combinations, seeking to control the new system of government, but they failed utterly. To the result the daily press contributed heavily on the right side, as did also the fair weather, and the patriotic tags distributed to all voters by the citizens league, saying: "I am an American. I voted Today. Did You?"

The Couzens-Connolly race brought out vividly the differences between business and political candidacy. Though he has recently favored non-partisanship in city affairs, and supported the new charter program, Mr. Connolly was feared by many on account of his habitual political methods and activities; they did not wish to "saddle a local Tammany" on the city. Couzens grew up with the Ford motor company along with its organizer. He retired, very wealthy, two years ago to become police commissioner, and as such showed initiative and personal independence so devoid of tact as to create enemies where he should have had friends. His chief asset now is in his secretary and political manager, "Eddie" Fitzgerald, former newspaper man, filling successfully the rôle of Warwick. Some hail Couzens as "a second Pingree"—but that remains to be seen.

As the leader of the new charter program, the Detroit citizens league issued a voters' guide—a small card of which 275,000 were circulated. Six of its seven class A men were first nominated and then elected. The three others in the new council were approved by the league in class B. While neutral as to the mayoralty, the leadership and most of the membership of the league inclined to favor Couzens.

Best of all, the religious issue has been set well back, if not buried. Despite appeals by the citizens league for strict Americanism and impartiality, the issue was raised two years ago by anti-Catholics, against whom Roman Catholics retaliated this year by mixing actively in the primary and election campaigns. They worked for Connolly and for certain councilmanic candidates. The result is a victory for non-partisanship and the American idea, without regard to religious creeds.

A charter amendment allowing city firemen 24 hours off duty in every 48 hours was adopted, though there was some opposition to it on the ground of its inopportuneness in time of war.

William P. Lovett.

III. JUDICIAL DECISIONS

EDITED BY ROBERT E. TRACY

Franchise.—In the case of *Fowler* v. *Chicago Railways Co.*,[1] the Illinois supreme court held that where a street railway, in consideration of a license to construct its road on a street has agreed with the city, in its franchise ordinance, to keep the street in repair, persons sustaining an injury through its failure may maintain suit directly against the company to avoid circuity of action.

◆

Appointments.—In *People* v. *Davis*,[2] the Illinois supreme court decided that a city council has power after confirming the mayor's appointments to the board of education, to reconsider its action and disapprove such appointments; such confirmation of appointment not being an election to office.

◆

Home Rule.—In *State* v. *Otis*,[3] the Ohio supreme court held under the provisions of §§. 1 and 2 of the Cleveland charter, that authority is reserved to the city to exercise any power now or that may hereafter be conferred upon the municipalities of the state by the laws of Ohio. Initiated ordinance No. 5222 providing for the appointment of a rapid transit commission is not in conflict with the provisions of its charter, but is a valid and subsisting ordinance under and by the terms of which the mayor is lawfully empowered to appoint a board of rapid transit commissioners for that city.

Judge Wanamaker strongly dissented. "We have the following objections to the Bauer law. (1) The attempt by the state legislature to create a municipal officer or municipal board, which is a purely municipal matter. (2) Conferring or delegating municipal powers to such municipal officer or municipal board, which is likewise purely a municipal matter. (3) In such delegation depriving officers already vested with those powers under the city constitution, the charter. (4) Numerous other provisions prescribing how the power shall be exercised, in clear conflict with the provisions of the organic law of the city, the charter." In closing he said, "I see in this case another invasion of the junker variety that is wholly inconsistent in the democracy for the cities of Ohio, as it was planned and provided through the 'home rule' amendment in 1912."

◆

City Manager Law.—The South Dakota supreme court in the case of *Tooley* v. *Burnside*[1] held that chapter 303 of the laws of 1917, the city-manager law, violates article 3, section 21 of the state constitution in so far as it provides for the superseding of existing city commissioners by a new body, a subject not embraced in the expression "increasing the number of commissioners" in the title of the act.

In the case of *City of Roanoke* v. *Elliot*,[2] the Virginia supreme court of appeals dismissed writs of error brought against an order of the circuit judge declaring the adoption after an election of the city-manager plan. The election was held under the emergency clause of an act of 1918 which amended the original 1914 act. The amendment was attacked because the emergency clause did not state the grounds of the emergency. The court held that the legislature is the sole judge of an emergency justifying immediate effect.

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[1] 120 N. E. 635.

[2] 120 N. E. 326.

[3] 120 N. E. 312.

[1] 168 N. W. 742.

[2] 96 S. E. 819.

Speed Laws.—In *State* v. *Barton*,[1] the Rhode Island supreme court held that state statutes regulating the use of the highways of the state are subordinate to the exigencies of military operations by the federal government in time of war. In this case a member of the U. S. Naval Reserve Force, who was driving a motor vehicle along the street in Newport, in the performance of an urgent duty to deliver a dispatch under instructions from his superior officer, was arrested for violating the state speed laws. The defendant took the ground that, as he had violated the speed law in carrying out the orders of his superior, the prosecution could not be maintained. ROBERT E. TRACY.

*

The Unconstitutionality of Negro Segregation.—Until comparatively recently, the century old demand that the negro be made to "keep his place" has had reference to the political, social or industrial rights or privileges which he might seek to share. In slavery days, through the reconstruction era, and for a couple of decades afterwards, it does not appear that white men concerned themselves much about the places in which negroes might live, but since the closing years of the last century, there has developed in many communities, a strong and sometimes intense desire to keep the negro from becoming a householder in white neighborhoods. Apparently it is not the mere physical proximity which is most objected to. No one ever says that a negro servant may not live in his employer's home. There is no agitation to drive him out of the alley houses within a few yards of the back windows of white residences. Even where he lives on the same street and in the same block, he can be tolerated, if his home is plainly less desirable than that of his white neighbor. The resentment is greatest when he moves into a row of houses, all of which are very much alike, and all the others of which have white occupants.

But if the dislike for the implication of equality is at the root of the difficulty, it is not true that the coming in of the negro hurts nothing but the racial pride of a white neighborhood. Where that pride is strong, the fact that a negro has come to dwell in one of a number of houses not greatly dissimilar in pretension, lowers the value of all real estate in the vicinity. The losers are not disposed to be philosophical. Their indignation and sense of loss sometimes lead to disorder and riot.

Seven or eight years ago, cities and towns began to pass segregation ordinances. So far as the reported cases show, the earliest of these to be enacted was that of Richmond, on April 19, 1911, 50 years to the day after the first bloodshed of the civil war. A month later Baltimore followed suit, and then many other places did likewise. Within a few years, courts of last resort of no less than five states passed upon the validity of such enactments. In Kentucky[1] and Virginia[2] they were sustained. In Maryland[3] while the court was of the opinion that it was lawful to segregate, it held that the ordinance before it was invalid, because it prohibited a negro, who had owned a house before its passage, from moving into it afterwards. In Georgia[4] and North Carolina[5] the ordinances were stricken down. While the decision in each of these cases was based upon somewhat narrow grounds, each court discussed the general question somewhat fully, and in a way to suggest that in its opinion the end sought could not lawfully be attained. The United States supreme court gave the issue unusually full and deliberate consideration. The case[6] was first argued in April, 1916, and reargued a year later. It was not decided until November, 1917. The Louisville ordinance was in controversy, but the principle was felt to be common to the whole body of segregation legislation. Briefs were filed by the city law officers of Baltimore and Richmond, and on behalf of various organizations interested on one side or the other. Mr. Justice Day, speaking for a unanimous court, based the conclusion reached upon grounds which were equally fatal to all attempts to establish ghettoes for the blacks. He said:

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[1] 103 Atl. 962.

[1] *Buchanan* v. *Warley*, 165 Ky. 559.

[2] *Hopkins* v. *City of Richmond*, 117 Va. 692.

[3] *State* v. *Gurry*, 121 Md. 534.

[4] *Carey* v. *City of Atlanta*, 143 Ga. 192.

[5] *State* v. *Darnell*, 166 N. C. 300.

[6] *Buchanan* v. *Warley*, 245 U. S. 60.

> It is the purpose of such enactments, and, it is frankly avowed it will be their ultimate effect, to require by law, at least in residential districts, the compulsory separation of the races on account of color. Such action is said to be essential to the maintenance of the purity of the races, although it is to be noted in the ordinance under consideration that the employment of colored servants in white families is permitted, and nearby residences of colored persons not coming within the blocks, as defined in the ordinance, are not prohibited.
>
> It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the federal constitution.
>
> It is said that such acquisitions by colored persons depreciate property owned in the neighborhood by white persons. But property may be acquired by undesirable white neighbors or put to disagreeable though lawful uses with like results.

The Maryland court of appeals, one of those originally holding that segregation was lawful, now recognizes that the supreme court has decided otherwise.[1] Apparently the controversy as to the legal power is at an end.

Those who would shut negroes out of a larger part of a city, are in justice bound to see that there is some place in which they may dwell in health and comfort, but nobody ever thought of this. The same feeling which demands segregation, usually stands in the way of the erection of any considerable number of new houses for negro tenants. The creation of a new "Dark Town" is always bitterly resented by the owners of neighboring property, improved or unimproved.

Segregation, in any community with an increasing negro population, means for them overcrowding and excessive rents. In Baltimore houses in which negroes could lawfully live, rented at much higher figures than similar dwellings in which they could not. Municipal legislators did not want to force the negroes to herd together or to pay unfair rents. In most cases, it never occurred to them that what they were doing would have such results, and if it had, they would seldom have known how to guard against the dangers involved. What they wanted was to keep the negroes from dwelling among the whites, except as servants. That end seemed to them both desirable and fair, and they were determined to take the shortest cut to attain it. As they saw it, they were entitled to protect themselves from what was costly, unsightly and disagreeable. If in so doing, the negro suffered, they were sorry, but it was his affair rather than theirs. Men of one race or class, when they have the opportunity, are prone to deal with those of others, in such thoughtless, and if you will, heartless fashion. To make it impossible that they shall, is not the least of the purposes for which constitutions exist.

John C. Rose.

IV. MISCELLANEOUS.

Frederick Law Olmsted of Brookline, president of the National Institute of City Planning, has served two terms as a member of the commission of National Fine Arts. Apropos of that event President Wilson recently wrote the following letter:

> My dear Mr. Olmsted: Now that you are ending your second term as a member of the commission of fine arts and are laying down the duties of vice-chairman of that body, I desire to express my personal sense of the services you have rendered to the nation. As a member of the commission of 1901, you were instrumental in the reinstatement of the L'Enfant plan for Washington and its logical development throughout the entire District of Columbia. The report of that commission impressed the people of the United States with the possibilities of placing Washington among the finest capital cities of the world. Also it was among the first of those impulses to civic improvement that in recent years have stirred the rapidly growing American cities to undertake an orderly arrangement of their areas.
>
> From 1902 to the creation of the commission of fine arts in 1910, you cheerfully

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[1] *State* v. *Jackson*, 132 Md. 311.

responded to repeated calls of congressional committees and of executive officers for advice and assistance in the solution of questions of art affecting the District of Columbia. It was the services thus rendered unofficially by you and other public-spirited citizens that led the congress to establish a commission whereby it has been made possible . . . to obtain expert advice on questions of art and taste. The value of your services were recognized when you were asked to become one of the original members of that commission and thus to continue to give advice made the more valuable by your familiarity with the needs of the district and by your experience and high attainments in your profession.

For all of this service you have expected and have received no money compensation; at times the task has been attended by public misconception, so that your one satisfaction has been the consciousness of having given to your country the best that was in you to give.

You will continue to give to the government your help in the new and perplexing task of housing workers in the industrial plants which have been created to satisfy war needs,—a task you were one of the first to recognize as essential.

Thus you are carrying on the high traditions of your family as devoted public servants in times of both peace and war.

Cordially and sincerely yours,

Woodrow Wilson.

✠

Henry M. Waite, who resigned to accept a commission in the United States army in France, was city manager in Dayton. He has been advanced to the rank of colonel and placed at the head of the engineering corps of the American 2nd Company in France. He has charge of the railway and harbor construction work and transportation.

✠

City Managers' Association, Fifth Annual Convention.—The city managers' association held its fifth annual convention at Roanoke, Virginia, November 6 to 8. Competing with war conditions, the influenza epidemic and other "attractions" the convention attendance was smaller than anticipated, but more enthusiasm and results were produced than at any previous meeting.

Two significant steps were taken. The by-laws were so altered as to provide for an associate membership open to all friends of municipal progress, the dues to be five dollars a year. The other innovation was the establishment of the *City Manager Bulletin* to be published by the executive secretary and sent to all association members.

The officers for the ensuing year are: President, Clarence A. Bingham, Waltham, Massachusetts; vice-president, H. H. Sherer, Glencoe, Illinois; executive secretary, Harrison G. Otis, Auburn, Maine. Mr. Bingham was vice-president last year and served as president upon the resignation of Gaylord C. Cummin, formerly manager at Grand Rapids. Mr. Otis was re-elected.

City planning and reconstruction to meet after-war conditions; methods of establishing and maintaining commission-manager government; the model city charter of the National Municipal League and proportional representation, were the headline topics for discussion. The round-table debates on administrative problems and the reports from manager cities showing achievements under war conditions, were full of good things.

Some of the papers delivered have already been published in the national magazines. The fifth yearbook of the association will appear shortly. This will contain the full proceedings of the convention, achievement reports from all cities operating under the manager plan, tabulated data showing the growth of the movement, together with charts and illustrations. This publication has already a world-wide circulation and is edited by the secretary.

H. G. Otis.

✠

Civic Secretaries Meeting.—The first annual meeting of the Civics Secretaries Association (the ninth annual meeting of the Civic Secretaries Committee of the National Municipal League) was a highly successful event. Addison L. Winship, until recently secretary of the Boston city club, presided. In addition to sundry five-minute talks on the civic accomplishments of last year, John Collier, of the People's Institute, New York City, gave a thoroughly stimulating and inspiring address on "Americanization through Practical Civic Endeavor," and Andrew Wright Crawford, the field secretary of the American Civic Association, spoke on "Housing Problems—Present and Future." Professor A. R. Hatton, who was subsequently elected president of the association for the following year, spoke on "Municipal Legislation To-day." The meeting was an interesting and stimulating one.

C. R. W.

◆

William M. Leiserson, professor at the Akron university, has accepted the position of chief of the labor administration division, working conditions service, in the Department of Labor, taking up his duties early in November.

◆

Dr. Joseph H. Odell has been chosen director of the "Service Citizens of Delaware," an organization recently formed in that state to advance the civic development of the state and its institutions. The organization has the benefit of a large income and bids fair to become a striking factor in that community. Dr. Odell has had an interesting career as a Presbyterian pastor, as a newspaper editor, as a writer for magazines and as a war correspondent, in addition to having been an active factor in the Red Cross campaigns.

Dr. L. D. Upson of the Detroit Bureau of Governmental Research and **Dr. William H. Allen** of the Bureau of Public Service, New York, are helping in a budget survey for the Governor of Virginia.

◆

Lloyd B. Hayes, formerly one of the civic secretaries of the Boston chamber of commerce has been chosen civic secretary of the Boston city club, in succession to Addison L. Winship.[1]

◆

Claude H. Anderson, secretary of the bureau of municipal information of the New Jersey state league of municipalities, has resigned to accept a position as district vocational officer for the federal board for vocational education. His district will comprise the states of Washington, Oregon, Montana and Idaho. His duties will be the executive and administrative work of the organization for the rehabilitation and training of wounded men rendered unfit for their pre-war occupations. **Edward T. Paxton** of the Philadelphia bureau of municipal research will serve as temporary secretary of the bureau of municipal information.

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[1] See NATIONAL MUNICIPAL REVIEW, vol. vii, p. 491.

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Ordinarily the NATIONAL MUNICIPAL REVIEW should be in the hands of members and subscribers within a week of the first day of the months of publication, to wit, January, March, May, July, September, and November. The extraordinary conditions of the last six months, however, have resulted in numerous delays. If the magazine is not received by the 15th of the month of issue, the Editor will be greatly obliged if a postal to that effect is sent to his office, 703 North American Building, Philadelphia.

TOWN PLANNING IN RELATION TO LAND TAXATION

CITIES SHOULD HAVE AGRICULTURAL ZONES
EXAMPLES OF CANADIAN CITIES

BY THOMAS ADAMS
Ottawa, Canada[1]

THE town planning schemes being prepared by the cities of Edmonton, Calgary, Lethbridge and Medicine Hat[2] are of particular interest because the main purpose which these cities have in view is to solve some of the financial difficulties created by past speculation in real estate. Town planning in western Canada is being used to help the cities to save money; whereas, to many people, the very name of town planning is synonymous with increased municipal expenditure.

Calgary, Edmonton, Lethbridge and Medicine Hat have decided to prepare comprehensive town planning schemes for the whole of their areas. The immediate cause of their decision to do so is that they were threatened with the reduction of their areas under the pressure of owners of suburban lands who have applied to the public utility commissioners of Alberta to have their lands taken out of the cities under new legislation

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[1] Town planning adviser to commission of conservation, Canada.

[2] These are the four principal cities of Alberta province with populations and areas, according to latest statistics, as follows:

	Population	*Area in Acres*
Calgary	56,514	24,720
Edmonton	53,794	27,040
Lethbridge	9,437	6,944
Medicine Hat	9,264	11,280

giving powers to the commissioners in this regard. The application is being made in order that relief may be obtained from both high assessment and high taxation. Faced with this problem the cities have come to realize that they must plan their areas with proper regard to their use for different purposes (including agricultural purposes in the suburbs) and that they should fix their assessments in accordance with these uses.

SEPARATION OF AGRICULTURAL FROM BUSINESS AND RESIDENTIAL LANDS

They propose to plan and separate all agricultural lands within the city from business and residential lands. The underlying principle of the division will be that the former will not be required for building within a reasonable time. Land in the agricultural division will be assessed at only agricultural value—wild or vacant lands in such division having a minimum value to be fixed under the law. It is proposed to cancel all sub-divisions in the agricultural area and to permit no new sub-divisions unless in accordance with the scheme. When land in the agricultural area is permitted by the council to be transferred to the building area and thereby to get the full benefit of the public utilities it will be subject to an increment tax—suggested at 50 per cent of the difference between the assessed agricultural value and the assessed building value. No utilities, such as sewers, water mains, pavements, etc., will be extended to the agricultural area except at the cost of the owners, and only then by agreement with the city. So long as the land remains in the agricultural area no utilities will be extended except for agricultural purposes. Maps and schemes are now being prepared to carry out these objects.

One of the things that has never been quite realized by the western cities is that agricultural land may be within the city boundaries. It has been assumed that any land included in the city *ipso facto* became building land, no matter what the ratio was between the growth of the population and the area of the city. Since the passing of the boom, western cities have begun to realize, happily, that it is unwise to tax land at a higher rate than it can bear, having regard to its revenue-producing capacity and subject to the community getting the increment of value due to its own expenditures. A great deal of land at the present time does not produce revenue because, while it is really useful for agriculture it is being held for building purposes for which it may not be required for perhaps 40 or 50 years.

CALGARY'S SCHEME

In the scheme suggested at Calgary, about half the city area will be included as building land and the other half, amounting to no less than 20 sections, or about 12,800 acres, will be defined as an agricultural zone.

By stopping sub-division in the agricultural zone until the inner building zone is built up to at least a density of two-thirds of its area, the owners of suburban land will realize that their best way to derive profit from the land will be in farming it and improving its fertility. At present vast tracts of such land are lying idle because the owners are living on the illusion that their farms will be required for building purposes.

The present population of Calgary is about 60,000. Its total area is 25,920 acres, about equal to that of Toronto. This area would accommodate a population of 777,600 on the wholesome basis of 30 people to the acre. It is felt, however, that it is not unreasonable to limit the present expectations as to future growth to less than half of that number (say 350,000), so far as the planning of the city is concerned, and that even then ample concession is being made to the hopefulness of those who own real estate.

There is room for this population of 350,000 within a radius of half a mile of the street railways of Calgary. Within this radius there are sewers and water mains provided in or ready for extension to most of the streets; but it is unreasonable to ask the present generation to bear the burden of local improvements for a population, even of this number. At present, however, they are responsible for local improvements for a sub-divided area which would provide for a population 13 times the present size. How can high taxes be avoided under such circumstances?

If one were starting *de novo* it would be enough to have local improvements actually constructed for a population of 20 to 25 per cent greater than the existing population; but this construction should follow the lines of a plan prepared for an area of five or six times the present area of the city.

Having arrived at the decision that half of the area of a city is enough to provide for reasonable growth for many years, the remainder of the land should be treated as agricultural land for the time being, or taken out of the city. Otherwise it will be taxed at a rate which the average owner cannot pay and the city will get no benefit from this taxation because it is responsible for extending local improvements, which cost more than the taxes are worth, even when the latter can be collected. Growing arrears of taxes and continued improvement extensions beyond needs have bad effects on the finances of any city.

The treatment of the agricultural zone is the most novel proposal to be included in the scheme, and it ought to be of general interest to cities that have similar problems to deal with. A large portion of land in the suburbs of many United States and Canadian cities is sterile and idle because it is being held for building purposes long before it is wanted for these purposes. The only hope of getting this land into cultivation and simultaneously preventing extravagant and unhealthy expansion is to bring it under a proper town planning scheme. The following are among the suggested provisions for the schemes proposed for the western cities.

SOME OF THE GENERAL PROVISIONS

No streets, sewers or water mains shall be constructed in such area except at the expense of the owners of the land and subject to the approval of all plans, sections and particulars by the city.

No land shall be sub-divided or used for building purposes for any purpose not connected with the use of the land for agriculture or horticulture in such area unless with the consent in writing of the city authority, where the authority is satisfied that the land is needed for building and not less than two-thirds of the sub-divisions in the parts of the area adjacent to the proposed new sub-division are already used for building purposes.

Land already sub-divided in the said area shall be reverted to acreage.

When the consent of the city authority is obtained to the future subdivision of any land within the agricultural zone the said land shall forthwith come under the provisions of this scheme as if it were building land and it shall be assessed as such.

The city shall collect an increment tax on the occasion of sale or of conversion of the land from agricultural to building land (suggested as 50 per cent of the increased value) realized or assessed.

TORONTO

Some of the eastern cities in Canada used the same kind of remedy for their taxation and planning problems. Toronto, for instance, has a population of 463,705 occupying an area of 25,330 acres. At a density of 30 to the acre there is room within the present city boundaries for a population of 759,900. Although little more than half built up it is overflowing its boundaries in many directions and it should have a larger area, so long as it has a part of such area set aside for agricultural purposes until it is needed for building purposes. Evidence of the need of Toronto for a larger area is shown by the extent to which undesirable and uncontrolled development is taking place outside its suburbs in every direction. Some day Toronto will have to meet the cost of rectifying this haphazard development.

To divide the city into zones, in which regard is paid to the economic use of the land, health and convenience of the people, instead of to the speculative interests of owners, is, in practice, one of the most effective means of avoiding injurious speculation. The use of the land becomes the determining factor in its value, and whatever increment may accrue to it from change of that use, say from agriculture to building, should become the subject of a heavy tax. The fact that certain lands are earmarked under a scheme for agriculture increases the value of the central areas for building purposes and this justifies the placing of higher taxes on the land in central areas.

The whole problem of housing is mixed up with this question of the development of land, and the latter is so dependent upon town planning of the right kind that housing and town planning schemes must proceed side by side if economical results are to be obtained. If governments will give us the right kind of legislation to control land development it will be a great aid towards the solution of the housing problem. Given this legislation and a proper organization to begin with, financial aid can produce better results.

In those Canadian provinces where ample town planning powers have been given by the legislatures there is a chance for treatment of these problems in a comprehensive and satisfactory way.

THE UNEARNED INCREMENT IN LACKAWANNA

BY HERBERT S. SWAN
New York

BEFORE the Lackawanna Steel Company brought its great plant and its thousands of employes to Lackwanna in 1899, the business establishments of the locality consisted of four groceries, one butcher shop, three saloons and two make-believe hotels. There were no factories. The population in the main followed the pursuit of farming and truck gardening for a livelihood.

Conditions were thoroughly rural. The town form of government satisfied all the requirements of the people. One constable safe-guarded the public peace and he found ample time, it is said, to engage in market gardening as well as in the real estate business when there was any real estate to be sold.

In 1890 the area within the present city contained a population estimated at 627. In 1900 it is estimated that this had increased to 1,833. In 1915 the state census showed that these farms, swamps and woodlands had become a busy city of 15,737.[1]

Increased population means increased land values. Country roads are usually not converted into city streets, nor plowed fields into building lots without an accompanying unearned increment. The purpose of this paper will be to appraise as nearly as possible the amount of unearned increment accruing to land values from the coming of the steel plant to Lackawanna.

THE AGRICULTURAL VALUE OF THE LAND

Before the establishment of the steel plant there had been very little activity in the real estate market. As a general rule property was inherited and not sold. The best land used for truck gardening purposes seems, however, to have possessed a value varying between $400 and $500 per acre; the best land used for ordinary agricultural purposes, a value between $150 and $300 per acre; and swamp land, a value not exceeding

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[1] This investigation was made at the request and with the support of Mr. Richard S. Childs on behalf of the Committee on New Industrial Towns in August, 1916.

$100 per acre. The value of some of the swamp and wood land did not exceed $50 per acre. Although little property appears to have been exchanged at these figures, they may be considered as representing the price at which land was held previous to its value being influenced by the construction of the breakwater, the railroad yards or the steel plant; that is to say, about the year 1895. At that time the average acreage value of all the land in the city probably did not exceed $200 per acre.[2] On this latter basis the land within the present city limits was worth only $770,000. But this figure by no means represents what it cost the steel company to acquire the plant land in the absence of any power to condemn.

ACQUISITION OF THE PLANT LAND

The task of acquiring the property for the steel company was entrusted to the Stony Point Land Company, of which Mr. J. J. Albright, a Buffalo capitalist, was the head. This happened in the latter part of March, 1899. Within a period of six weeks, this company had acquired title not only to the greater part of the land required by the steel company but to 500 or 600 acres in addition. Altogether about 1,700 acres of land were purchased at prices varying from $300 to $4,000 per acre. The average was $980 per acre.

The price obtained by each owner depended naturally to a large extent upon his native shrewdness in bargaining and the strategic position of his property in relation to the other parcels in the scheme contemplated by the company.

The first sellers, not suspecting that a big project was on foot, were glad to dispose of their farms and swamps at a comparatively low figure. These were the men who got $300 per acre for their land. The last vendors, appreciating the vital importance of their land to the company in rounding out and filling in its holdings, of course, made extortionate demands, and probably much to their own surprise, they got their price. These were the men who got from $2,000 to $4,000 per acre for their land.

With the exception of two parcels, which were purchased by the steel company for housing purposes, the Stony Point Land Company retained title to 650 acres not used for the plant. About 350 acres of this land have been disposed of to different railways for yard purposes and to industrial establishments. The remaining 300 acres are still retained by the land company in large tracts and the general impression seems to be that it doesn't care to sell this land.

The land bought in Lackawanna was 1,436 acres and the price paid was approximately $1,407,000.

The land bought by the company was the most valuable for factory purposes in the city. The remaining area of 2,414 acres could have been bought more cheaply, especially if it had been bought over a longer period of time. A tract of 150 acres needed to round out the company holdings would probably have cost $980 an acre, the same price as that sold for the land acquired, or a total of $147,000. The other area of 2,264 acres, if all bought, could probably have been purchased for two and a half times its agricultural value or at $500 an acre. The price of this tract at $500 per acre would have been $1,132,000.

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[2] This figure represents the opinion of Messrs. C. H. McCullough, Jr., Robert A. Reed, J. J. Redmond, N. C. Milks and Mansfield Lohr.

The aggregate amount that would have been required for the purchase of all the land within the city limits may therefore be estimated at $2,686,000.

PRESENT VALUE OF THE LAND

The total assessed value of taxable real estate in Lackawanna, exclusive of special franchises, is $10,390,480. This is the assessment on which the 1917 tax levy was made. Land is assessed at $4,678,360; or $297 per capita.

The city administration, including the mayor and the three assessors, steadfastly maintained that the assessment for 1917 was on the basis of 80 per cent of true value. The fear that the writer was engaged by the State Board of Tax Commissioners made the city administration very circumspect in discussing the relation of assessed and true value.

Mr. C. W. Ellis, Editor of the *Journal*, the leading city newspaper, stated that the assessments represented about 35 per cent of actual value. Mr. Mansfield Lohr, a real estate man, stated that they represented about 30 per cent; Mr. N. M. O'Mara, another real estate man, stated that the assessments varied from 25 per cent of true value in the case of vacant property to 40 per cent in the case of improved property. Mr. N. C. Milks said the assessments varied between 30 and 50 per cent of true value.

The county supervisors rated Lackawanna assessments at 30 per cent in 1916. The 1917 assessment is, however, about 50 per cent larger than that of 1916.

There are many instances where vacant as well as improved property is assessed at only a fifth or a sixth of its fair value.

Considering the fact that there are enormous areas of vacant land, the assessed value of the land, exclusive of improvements, does not on the average perhaps exceed one-third of its true value. The writer considers this ratio a very fair one. It errs rather on the side of conservatism than liberality.

Applying this ratio the present true value of the land within the city limits of Lackawanna is $14,035,000; of the non-plant land $9,016,000.

The gross increment in the non-plant land is the difference between its present value, $9,016,000, and its value of $1,983,000 in 1899, or $7,033,000.

COST OF LOCAL IMPROVEMENTS

Benefits have been assessed quite generally in the case of local improvements.

Including the filling of swamp land, roads and sidewalks and the cost of local improvements assessed against benefited property, the property owners in Lackawanna have been put to a total expense of $500,000 in preparing their property for urban use. But of this amount, they have, as yet, only paid some $245,000.

The net increment in the non-plant land is therefore the difference between its gross increment of $7,033,000 and the $245,000 collected for local improvements or $6,788,000.

MUNICIPAL FINANCE AND TAXATION

An analysis of the unearned increment in any particular city would not be complete without a word describing the conditions affecting municipal finance and taxation. Land and buildings were not assessed separately in Lackawanna until 1917. It is therefore impossible to show the annual tax burden to which land has been subject during the period in which this unearned increment developed.

The total cost of the government for the year 1915, considering the expense of both the municipal and the school corporations, was $290,846.43.

The tax rate for city and school purposes was $26.33 per $1,000 assessed value.

The city of Lackawanna has an outstanding debt for municipal and school purposes of $561,425. All the bonds outstanding on account of sewers and one-half on account of pavements will be collected from owners of benefited property. Deducting these amounts, the net debt is $286,925.

It is plain, therefore, that carrying charges on the land have not been a serious offset to the increment.

SOCIAL CONDITIONS

Had the unearned increment in land values been conserved for community purposes instead of dissipated among the land owners, Lackawanna would not be the drab place to live in it is to-day. The city possesses none of the amenities which make town life pleasant. It has no public library. It owns no parks, no playgrounds.[3] The social conditions are such that most of the plant employes refuse to live in the city. About 60 per cent of the shop force and about 75 per cent of the office force, according to the president of the company, live in Buffalo. The difficulty the steel plant experiences in manning the works describes the desolate character of the community better than any words,—in a force of about 7,000 men it had, when the writer was there, a labor turnover of 1,500 men a week!

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[3] The only park in the city, one of 155 acres, belongs to the city of Buffalo.

The great common indulgence is drink, and drink in abundance. As nearly as the writer could ascertain there were about 140 saloons in Lackawanna. Nearly all of these were in the foreign quarter of the city west of the railroad yards. The population of this section, exclusive of that found in the company houses, is about 5,500.

The saloon keeper seems to have been one of the first to realize the need for adequate housing facilities in the new town. He erected a number of two- and three-story barracks 30 to 35 feet in width and often more than 100 feet in length, the first floor being used as a saloon and the upper floors as lodgings. There are probably forty of these saloon lodging houses. The clientele of each bar is largely recruited, if not exclusively so, from its own lodgers. The ideal cherished by each saloon is apparently to shelter all its customers. Some of these saloons are said to accommodate as many as a hundred men, the same beds being used by both night and day men.

SOCIALIZATION OF THE UNEARNED INCREMENT

Various methods have been suggested and tried for the socialization of the unearned increment,—the more prominent among these being a heavy annual tax on land values, a tax on future increases in land values,[4] Co-Partnership Housing[5] and Municipal Land Ownership. That there is a right on the part of the community to enjoy and to benefit by the values which it itself creates does not at this late date seem susceptible of successful contradiction. But which of the above propositions is best designed to attain this end it is not the purpose of this paper to determine. Various social forces at work, however, make it increasingly plain that it is futile to expect even an approximately fair distribution of the economic rent through promoting individual home ownership In the first place, a majority of workingmen will never acquire a home,[6] and on account of industrial conditions, it is a big question whether or not it is desirable to encourage them to own a home. In the second place, very little increment accrues, as a rule, to land used for housing the working classes after its original subdivision and sale. If not the bulk, at least a very large portion of the increment is in such instances reaped by the developer. And in the third place, individual home ownership, even if it were to become the universal rule in a community and thus secure a more or less haphazard distribution of the benefits resulting from the unearned increment in residential land values, would still not solve the problems resulting from the growth of land values in the business sections of the city.

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[4] See Herbert S. Swan. The Unearned Increment Tax, NATIONAL MUNICIPAL REVIEW, April, 1914.

[5] See Richard S. Childs, How Shall the Government Dispose of Its Industrial Housing, *New Republic*, March 30, 1918; also Herbert S. Swan, Co-Partnership Housing in England, *Journal American Institute of Architects*, May, 1918.

[6] See Herbert S. Swan, Home Ownership in New York City, *Journal of American Institute of Architects*, January, 1918.

To preserve the individual's mobility without at the same time obliging him to forego his right to share in the unearned increment he helps to create, that is the biggest part of the problem affecting the economic rent of land. Industrial towns, like Lackawanna, would probably find that such a solution to the land problem would do more to stabilize labor than any other policy they might adopt.

RECONSTRUCTION IN GREAT BRITAIN

BY THOMAS ADAMS

Ottawa, Canada

IN that part of the British Empire from which I come, which has its boundaries common with yours for over 3,000 miles, we have very similar problems of reconstruction to those you have in the United States. Our problems more resemble yours than those of the Mother Country. In our different dominions our problems naturally vary with our conditions; only one thing never varies, namely, the freedom and independence of each national unit of the Empire. You will remember how Kipling described the spirit of combined independence and loyalty of Canada:—

A nation spoke to a nation,
  A throne sent word to a throne:
"Daughter am I in my mother's house,
  But mistress in my own.
The gates are mine to open,
  As the gates are mine to close,
And I abide in my mother's house,"
  Said our lady of the snows.

Canada has her own gates to open and to close and her own problems to work out in the light of her own experience. And it is only as nations and states, and lesser entities, "do the duty that is nearest to them", as Carlyle has put it, that national strength will be built up in such aggregations of territories and states as you and we have in our respective countries.

The war is past history. The boys have gone over, and they have done their duty. They have met the test. They have kept the faith. Many of them will not come back to reap the fruits of their sacrifice. We have been helping them in the struggle, but while they have had the test applied to them, ours is yet to come. And the question we have to answer is: Are *we* to be found wanting? They had the opportunity to sacrifice themselves for our countries and our liberties and for social justice. We have now the chance to take up the battle for the victory and prize which they have won for us.

LIBERTY OF LIFE AND PROPERTY

We have to get a new perspective of some of these questions. I think that it is very important that we should hold fast to our individual liberties, but I sometimes venture to remind American audiences that they will find in the first article of their constitution—at any rate in the constitution of Massachusetts—that liberty of life comes before the liberty of property. In Canada and the United States there is a tendency to reverse this order. We have often failed to regard the sacredness of life as worthy of protection, when it interfered with the sacredness of property.

The liberty that is fundamental, which lies at the foundation on which we have built since the time when constitutional freedom was fought for and secured at great sacrifice, for you and us, is the liberty to enjoy the fullest opportunities for human development. When the rights of private property encroach upon the health of the people, or destroy that which helps to build up character, or make impossible a wholesome environment for our children, they interfere with real liberty.

We have learned in this war how national strength comes from building up the character of our people, and how important it is that we should lay the right social foundation rather than build up a seeming wealth in the form of an industrial organization which depends for its strength on an underpaid and badly-housed population.

We have to get down to these fundamental considerations in connection with this question of reconstruction in all our countries. In Great Britain, if I may say so, they have had some advantage over both Canada and the United States in this respect. Ever since 1915 they have had at work a ministry of reconstruction formed when emotions were stirred by the great events of the war and their minds were alive to the danger that when peace returned they would drift back into the old ways.

THE WIDE SCOPE OF RECONSTRUCTION IN ENGLAND

They started out to work with the idea that reconstruction meant the demobilization of troops, the reinstatement of the men in employment, plus a certain amount of readjustment of industry and of economic conditions. But as they studied the problem, they found it went deeper and wider than that. They found they had been building in error in the past and that what they wanted was not the readjustment of old conditions but the building up of new conditions. They realized that in order to show proper reverence for those who had made such great sacrifices they had a duty not only to get rid of established evils—some of which had been endured by sheer force of custom—but to take such action as was necessary to prevent the recurrence of similar evils in the future.

They started out with that humble acknowledgment of past failure which is essential as a preliminary in any successful policy of reconstruction.

Now we are all saying that we are entering upon a new era. Forward movements and reconstruction policies are in the air, and if good intentions are all we require, we may look forward to the future with hope, and with the inspiration of the sentiment that God is in his Heaven and all is right with the world. But as the roar of the guns ceases, as the pain and disasters of the past few years begin to be forgotten, it has yet to be proved that we shall not drift back into the old neglect of social injustices which in accumulation bring misery to men and endanger the stability of the social organism. This is no fancy picture of what may happen. It happened in France a hundred years ago. It has happened in Britain and in your country in the past when the stimulating periods following great emergencies have passed away and left things to muddle along in their customary groove.

On this occasion however, Britain started to think out her policy of reconstruction while yet the wounded boys were walking through the streets, returning from the battlefields of France, and the nobilities of war time had not settled into languorous indifference.

Britain, while at war, worked out a social program as well as a solution for the problems of demobilization, and for readjustment of her industries. She considered the question of restoration of her shipping; the rebuilding of her mercantile marine; the adjustment of her labor difficulties and differences between capital and labor by means of industrial councils composed of employers and employees; the replacement of the soldiers either in the work they had left or in new work created for them; the increased production of food by improved rural organization—a matter of supreme importance in this country and Canada—; the question of building up and restoring the economic and financial conditions of the country, due to the disturbance of the war; and many other industrial, military and financial questions.

HEALTH, HOUSING AND EDUCATION

But she also considered the problems of health, housing and education; and it is to that aspect of the problem that I want to make particular reference, and particularly to the question of housing, since that comes within the sphere of my own duties and studies.

Unless we try to get more light and air into the homes of our industrial classes; unless we get rid of those bad sanitary conditions which surround the dwellings of the poor; unless we make the environment of the bulk of our homes sweeter and better, we shall continue to find that all the science we apply to remedy disease, to reduce sickness, to counteract feeble-mindedness and crime; and that all we do to reconstruct and improve our industrial conditions, will be offset by the physical and moral deterioration produced by bad housing conditions.

On the question of education, any of you who are members of municipal councils know that the chief expense of municipal administration is in regard to education, and it should be so. In Ottawa we collect on an average about $30 per family in taxes from our working class population. Our education bill alone for each child in that family is about $50. If there are four in a family the cost is about $200. Thus it costs about $200 to educate the children of a man who is paying $30 in taxes.

You see therefore the importance of making that expenditure of $200 as productive as possible. If children come to the school from a bad home; if they are subject to environment which promotes disease and degeneracy, much of our expense for education is wasted. We can never successfully attain our object of establishing a system of education which will carry out your expectations effectively and justify the high expenditures involved, unless we frankly face this question of improving the housing conditions.

BLAMING THE POOR FOR BAD HOUSING CONDITIONS

There may be a tendency in this country, as I know there is with us, to place the blame on the other fellow, and say that it is all very well to build good houses and to enforce more stringent regulations in order to see that everybody is well housed, but that will not solve the problem because the people who live in the houses themselves are to blame because of their defective morals and low standards; their bad habits and indifference to their condition will thwart all your efforts.

Is that not another form of our old, much-despised English snobbishness towards the poor, which on this continent receives a new veneer and is called something else. I remember about twenty years ago, when I built some small cottages for the working population of the municipality, a medical man of some considerable prominence and reputation, a member of the city council, visited the cottages and said: "These people are not worthy of these model homes and pleasant surroundings. They will bring them down to their own level. These people belong to a lower class than ourselves and are not happy unless they live in slums." I think the war has killed a good deal of that kind of thing in England and made people feel that some of those who have been the most despised of citizens in the past have not only done their duty in this war as well as the best housed and best educated of the citizens of the old country.

but only need a better environment and freer opportunities to enable them to prove that they are capable of rising to higher standards of parentage and citizenship.

I do not wish to underestimate the power of hereditary influences. We have to fight against the bad influences in human nature, but one of the best ways to fight them is by improving the home conditions. One of your most distinguished men—Oliver Wendell Holmes—has said that you should educate your citizens a hundred years before they are born. To educate your citizens before they are born can only be done by improving the homes of their parents and grandparents. As you house the citizens of to-day so will you educate the future citizens of your country.

Are we going to refuse to alter existing conditions for the children who are to be the citizens of the future because we feel it is difficult to overcome the inertia and indifference of their parents?

I have had experience of trying to improve the conditions of the people living in the slums of London. I have seen them moved out into the "garden city"; I have seen the changes in their lives; I have seen them growing up to be better citizens, in spite of their natural weakness, because of better environment. But I need not cite my experience to show that medical gentleman's distortion of the truth. You will find it in the lives of some of the most able citizens of this continent who have built up the political history of America and yet have come from the peasant homes and poverty stricken hamlets of Europe. We must try to improve the denisons of the slums by practical efforts and by recognizing our social responsibilities and not by preaching to them and blaming their natural weaknesses.

THE BRITISH HOUSING PROGRAM

Lloyd George announced the other day that the policy of his government consisted of a great program of rehousing, of land reform and of improved transportation.

These questions concern not only the building of houses, but the planning of land so that the houses shall have light, air and pleasantness; and so that sanitary conditions and economy will be considered in connection with the development of the land as well as in connection with the construction of the dwelling.

We have in Ontario, on the other side of the Lake from Rochester, a law which says that all streets shall be not less than 66 feet wide nor more than 100 feet. The result is that two thirds of our streets are too wide and one third too narrow. Consequently people are paying for unnecessarily wide streets; and one result is that owing to the excessive cost of local improvements, they have to live in insanitary homes.

In building houses we have three things to consider. They are:—(1) The dwelling. (2) The site. (3) The means of access to and from the site and the place of employment (transit). All these are dealt with in the Lloyd George program of rehousing.

Lord Shaftesbury was one of the first men to promote a housing policy in England, in 1851, and the English Parliament has been wrestling with the problem ever since. Progress has been slow and it was not till 1909 that they got an effective housing and town planning act. Town planning in England means the laying out and development of all land likely to be used for building purposes with the object of securing proper sanitary conditions, amenity and convenience. The replanning of existing cities, the making of new diagonal streets through areas already built upon, or the creation of civic centers as a main object are not features of the English town plan.

Its basis is a thorough knowledge of the existing topographical, industrial and social conditions, as related to possible future development. The town plan has to be preceded by the regional plan or map which gives the knowledge of all the existing data and conditions. With the latter as a foundation on which to prepare the plan of future development, and with health, amenity and convenience as the main objects, town planning becomes an important instrument in social reconstruction.

DECENTRALIZATION OF INDUSTRIES AND TOWN PLANNING

One significant feature of modern social life is the process of decentralization of industries. Great cities are becoming disintegrated; manufacturers are leaving the large centers, driven out by high taxes and by dear land.

The United States steel corporation came across to Ontario the other day to search for a site for a new plant. Any city of our province would probably have pledged their last dollar to get that corporation to settle in their area. But the corporation did not seek a site in an existing city. It selected a bare piece of land at an agricultural price. It had plans of the land made, of the whole site, of the houses, streets, sewers, sewage disposal plant, water supply, etc.; and it will in time complete the building of its own town. It is not doing this for philanthropy, but because, by introducing an entirely new system of town planning and public works, it can assure healthful conditions to its work-people. The workers can secure pleasanter surroundings, purer water supply, and will be more efficient as a consequence. The corporation is engaged in business, and their only object is to make that business successful.

The process of decentralization, of which this is an example, is going on all over this continent. This tendency to establish industrial plants in territory outside the boundaries of cities needs to be taken hold of and organized. It is one of the things that need to be dealt with in reconstruction schemes.

The planning of these new developments in the outer suburbs of our cities is one of our biggest problems. In dealing with them we have to link up housing and local transit, and also control land development so as to prevent injurious speculation.

Town planning, in the judgment of the United States steel corporation, was the first necessity of its housing scheme. Similarly, in Great Britain too they have come to recognize that in order to deal properly with housing conditions they must start with the control of land development by town planning schemes.

EXTENT OF PROBLEM

They propose to expend from six hundred million to a billion dollars after the war to build three to five hundred thousand houses. The sites on which these houses will be erected will all be town-planned. In six or seven years it is estimated they will have to face from 180 to 300 million dollars of loss, according to the number of dwellings that will be erected. Great Britain is prepared to pay this as the subsidy in working out its after-the-war policy in regard to housing.

I do not think there is any definite after-the-war housing policy in this country. But, in view of the much larger increase of population in your country as compared with Britain, it would seem that you would need five times as large an appropriation per annum for this purpose as Great Britain, if you are going to deal with the problem on the same drastic lines.

In Canada we need about 30,000 houses to meet the needs of our increase in population. Sixty-seven thousand are needed in Great Britain, and in this country 350,000 to build a house for every five persons to meet the natural increase of population.

But aside from this increase in population, we all have an acute housing problem to deal with here in connection with the improvement of existing dwellings.

CANADIAN HOUSING POLICY

Our Canadian housing policy has not been finally settled, but briefly, it comprises a co-operative scheme of housing reform in which the federal, the provincial and the municipal governments will all be interested. We recognize housing as a national problem. It is part of the question of industrial development in our cities and of rural organization in our rural districts. The federal government will probably lend money and may create some kind of advisory bureau. There will be in each province a provincial board or official to administer and direct the lending of money to the municipalities. Working down from the federal government at the apex, you come to the provincial government, with its executive officers, and from that to the municipality, and from the municipality to the housing association and the manufacturer, and the individual. The actual building operations will be carried out by the three latter under regulations prepared by the federal and provincial experts.

The Ontario government has appropriated $2,000,000 to inaugurate schemes in that province.[1] The experience gained in one province will be used to help in the solution of the problem in other provinces.

MUNICIPAL ADMINISTRATION OF HOUSING SCHEMES

Whatever difficulties may be encountered in getting the municipalities to do the work, whatever lack of confidence we may have as to their capacity to undertake it, it is desirable to use and confide in them and take the risks. Increased responsibility will gradually bring increased capacity and vision. The English statesman was not far wrong who said that good government was not a substitute for self-government.

We need to hold fast to the democratic spirit we have fought for in this war and if we do so we must entrust our municipal administrations with greater and not lesser responsibilities. If our system of local government is defective and we consider it unworthy of our confidence, it is our duty to improve it and not to supersede it by autocratic machinery in order to attain a questionable efficiency.

So in our reconstructive policies we must enlist the co-operation of all forms of government and we must place the chief burden of executive responsibility on the government which is closest to the people, leaving to the higher governments the duty of guiding and supervising, of rendering financial aid and expert advice, and of co-ordinating local activities.

That, at any rate, will be our policy in Canada, and, although we shall have mistakes made and shall have to take the chances of having to suffer from inefficiency, due to lack of continuity in municipal administration, I think in the end we shall have more enduring and solid results than if we tried some more bureaucratic method.

In conclusion, may I express the hope that you and we shall meet the boys when they return with the same kind of spirit, in our attack on social evils, that they have shown in their attack on the enemies of our freedom. To achieve that we must be prepared to convert some of our idealism into practical policies in our reconstruction schemes, to show that we really believe not only in liberty for ourselves, but in "equality of opportunity" for all. That must cease to be merely a pious phrase with us. When the boys return we must not only receive them with bands playing and with flags waving; we must not only say to them, "We will give you work and money"; we must show them that we are prepared to live for some of those ideals and principles of justice for which they have been prepared to die. In that respect all our countries have a common task and a common privilege.

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[1] Since this address was delivered the federal government of Canada has appropriated $25,000,000 to be lent to the provinces for housing purposes, December, 1918.

THE NEW RELATION OF THE FEDERAL GOVERNMENT TO STATE AND LOCAL COMMUNITIES

BY ARTHUR W. MAC MAHON

Columbia University, New York[1]

I COULD discuss the paper with more success but less satisfaction, if I could find something fundamental in it to disagree with. Professor McBain in summing up his paper said that there was nothing strikingly new in the relations between nation and state brought about by the war, aside from the development of the co-operative relationship between national and state administrative agencies, which, he pointed out, was already under way before the war.

There are, after all, two reasons why the war has not brought anything strikingly new in the national-state relationship. In the first place, we were not in the war long enough to permit drastic permanent changes in our political institutions. The war has raised the metal of the nation—and I refer to our national fabric and not to war sentiment—to the red heat at which metal is easily malleable within limits, but not to the white heat at which metal flows of itself. Furthermore, this red heat is a condition which is quickly lost, and I think we are surprised to-day at the rapidity with which the readjustments, toward which we have looked with bated breath, are taking place even now, while we who thought the war was going to continue a year are speculating upon the direction these adjustments should take. It may be that the condition which promotes malleability will be prolonged by the heat communicated to us from the social unrest abroad in the world, together with the pressure developed here by the resistance of labor to a radical readjustment of wage standard. But the war in itself has not lasted long enough nor heated the metal of the nation hot enough to bring about permanent and drastic changes.

POLITICAL EXPEDIENCY DURING THE WAR

In the second place, political expediency during the war has affected the relation of states and nation along the lines of tendencies already under way. When we look first at the developments during the war we are struck by the extent of its exercise of national power. If we look a second time, we are struck by the extent to which the national government has actually utilized state and local machinery in the performance of its war functions. Of course the most striking example along this line has been the administration of the selective service law, in which the machinery was built up by the action of state and local government. The authorities administering that law pointed very clearly in their first annual report to the fact that by this use of state and local machinery they were able to improvise a vast civilian machine quickly, inexpensively and democratically.

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[1] Dr. MacMahon although attached to the staff of the Council of National Defense spoke in his individual capacity in discussing Professor McBain's paper read at the Rochester Conference of the National Municipal League on Reconstruction.

There are many other examples which may be given and which, although less striking than the administration of the Selective Service Law, are perhaps more to the point. We now have the United States employment service as an essentially national agency. As a matter of fact, in the actual building up of that service state and local employment facilities have in many instances been utilized and by various informal memoranda made part of the practical operating system. Professor McBain has referred to the so-called Smith-Sears' act for vocational rehabilitation. I think I state what is true when I say that the federal board for vocational education, although operating under a congressional appropriation, will welcome assistance from state or other agencies, which would make it possible to render further service to disabled men than are allowed under the strict regulations of the congressional enactment. Again, Congress by emergency appropriation to the department of agriculture has extended aid to the farmers during the war. Such aid, as in the buying of seed and the like, was supplemented through understandings with state agencies engaged in the relief of farmers, the national and state agencies thus becoming a working unit.

UTILIZATION OF STATE AND LOCAL AGENCIES

The war, then, despite all its developments of federal power, has afforded a strikingly interesting utilization of state and local agencies, in the form of co-operative understandings with the national government. Such development has been along the lines of what was taking place before the war, and it will undoubtedly continue now with added stimulus. My only regret in connection with Professor McBain's paper is that he did not have time to develop in more detail the possibilities which exist for the creation of these informal administrative understandings between national and state agents. He pointed out, first of all, that it is possible for the national government, even when not having the power of outright control, to extend conditional financial assistance in carrying on education, rural sanitation and other services of that kind. Furthermore, even when the national government has not been able to create what is practically a minimum standard, it can nevertheless maintain a service which will galvanize state and local agencies into added activity. Professor McBain has referred to the effect of the food and drug act upon state food and drug control. For practical purposes the national officers who have administered that act are part of a larger system of which state food and drug officials are likewise a part; and each group of officers assists the other informally in the execution of the law under which it operates. When the federal child labor law was passed and the children's bureau faced the practical task of administering the law throughout the United States, the first thing which it did was to go to the bureau of animal industry and ask the food and drug officials there how they had worked out these relations with state officials. If the federal child labor law had remained upon the statute books it would have been carried out in large part by state officers without the creation of new federal machinery. In this case the national government would always have retained the right to throw its own officers into the state for the complete execution of that law. Such action on the part of the national government would have involved duplication which would have been disadvantageous in the long run to manufacturers and would have resulted in the raising of the state administration to the required standard.

ADMINISTRATIVE RELATIONS BETWEEN STATES AND CITIES

I wish to emphasize, before closing, another point that Professor McBain has touched upon, and which I regret he did not develop further. It is that it is just as important to develop co-operative administrative relations between state and municipal officers as between national officers and state officers. Unless all administrative agencies working in the same general field are linked together by these informal understandings, in cases where formal understandings are not constitutionally feasible, your system does not work. Take as an example the labor problem, which is after all the biggest readjustment problem that war has given us. We face above all the task of finding jobs for labor. The United States employment service will undoubtedly continue. Its task through the war, however, has been to find men for jobs; now the reverse is true, and the employment service does not yet have adequate local facilities to find jobs for men. In the creation of more adequate local machinery it will undoubtedly have to link up with state and municipal employment facilities. Or take, as another example, the use of public improvements as a buffer element in handling the labor situation. A growing number of people recognize the possibility of a permanent system by which the national government, through the state governments, can communicate to municipalities its needs with reference to improvement as a buffer in handling the labor surplus. Such an understanding between the national government and some state authority like the emergency public works commission established in Pennsylvania by a law of 1917, for the purpose of assisting city governments to solve their public works problem, would be very advantageous at the present time.

COMMUNITY HOUSES AS WAR MEMORIALS

ALBERT S. BARD

New York City[1]

WHAT shall we give our boys now they are coming back? Nothing is too good for them. For that reason intelligence must go into the gift. America should give with her head as well as her heart. Nothing will do which does not typify the idealism which carried the American soldier to France, but better yet if the gift may express the effort of America to carry that idealism into practical effect.

And what of those who never come back? Can anything fit them better than some memorial which shall be stamped all over with a devotion to the common weal?

And those who come back, but not as they went—who have left their youth and health on the other side, and have returned to take up lifelong burdens and disabilities? Perhaps, after all, these are the heroes calling for the deepest consideration. Their country has not indeed taken their all, but while taking much has imposed such liabilities on the other side of the account as often to leave a balance of less than nothing. Surely they deserve that what America says in her memorials shall speak of reconstruction, wholesome and fruitful activities, and the progress of that civilization they have spent themselves for.

And so this suggestion of the community house as a war memorial, first put forward by Harold S. Buttenheim, editor of *The American City*, in September, 1918, awakened an instant response all over the country.[2] He urged that the memorial of the sacrifices of the war take the form of a living testimonial erected and dedicated to the ideal for which those sacrifices were made and that nothing could be better than Liberty Houses where the democratic and social aspirations of our communities might find opportunity for expression and growth. "Let our memorials of this conflict," he said, "be structures which shall help the living while commemorating the dead."

Surely this is a happy thought for many communities. It is recognized as such even by those who most clearly apprehend community art and beauty as a social service rather than a luxury or the precious possession of a few. One may find persuasive reasons for selecting for any given community the symbolic tribute of a thing of mere beauty, rather than a house in which the spirit of beauty and the spirit of social service shall find a home. One may choose for his own town the fruit of these spirits rather than the creation of conditions in which they may grow. But one must be blind indeed not to see that the same purpose animates both forms, gives them significance and makes each in its own way a fitting type of memorial to soldiers and sailors who have ventured all that brotherhood may live.

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[1] President, Municipal Art Society of New York and Chairman, Local Draft Board No. 154, New York City.

[2] The national committee on memorial buildings (a nation-wide committee of one hundred representative men and women), 261 Broadway, New York city, reports that some four hundred cities and towns in the United States have either made definite plans for the erection of community houses as war memorials or are seriously considering the proposal. This movement has received the endorsement of Hon. Franklin K. Lane, and other federal, state and municipal officials. Full information can be obtained by communicating with Harrison G. Otis, secretary of the committee.

Of course there is no single type of "liberty house" possible, no one plan to which all should conform. American communities differ in character and individuality as much as they do in size. Eastport, Maine, and San Diego, California, have different problems to work out. The local needs of Helena, Montana, are not those of Augusta, Georgia. The form, size, plan and purpose of such a building will accordingly vary widely, if it is to meet real, not fanciful needs. We shall consider in a moment some of the needs such a building may well attempt to meet if not already taken care of in the community. But there are several common factors which must enter into every such structure and mark it indisputably as a memorial. Let us first emphasize them.

Most obviously of all, opportunity must be afforded for appropriate inscription of names, military units and the like, as the case may be. The building is somehow, whatever the form it takes, a record of our love and reverence for certain men or women or groups and celebrates their deeds. It is a neighborhood memorial or celebration of them, and their individual or collective names should somewhere appear. It may be upon tablets in the vestibule, or by inscriptions upon the walls, but in one way or another, whether by paint, mosaic, carving, bronze or stained glass, this particularization and historical evidence should find a dignified place.

BEAUTY: THE ENDURING MEMORIAL

Almost equally obviously the building should be made precious in some way, not only to the present generation that has a personal and immediate interest in the individuals and events celebrated, but to those that are to come. Only so can it be a true memorial. The one thing that can do this is beauty. Expense without beauty is as sounding brass and a tinkling cymbal; it is nothing and will profit the community nothing; indeed, it is worse than mere futility; ridicule or contempt will be its portion; men will laugh or groan over it, depending upon their mood and disposition; and worst of all, it will fail of its primary purpose as a real memorial. Here at least beauty and use are interchangeable terms.

Consider the crop of war memorials that sprang up all over the country following the Civil War. This country was then singularly unprepared for an eruption of "artistic" impulses. It was the era of cast-iron lions on the door-step with a facial expression that no lamb would hesitate to lie down with. The result was a tidal wave of cemetery monuments, somewhat enlarged and furnished with artillery and ammunition. Granite soldiers at "parade-rest" sprang to pedestals all over the country, usually with careless forearms across the muzzles of their rifles. It was the golden age of the monument man and the local stonecutter, but the glacial period of American sculpture. It dropped upon the lawns and greens of the country chunks of stone and carven detritus, where they still persist irrelevant and ugly, testifying chiefly to the misguided impulse that put them there.

But our forebears got what they went after and paid for. They got good artisan work; the stone was of the grade specified, set with close joints and without flaws or spalled corners; the monuments stood up straight, and still stand. Unhappily Hamlet was left out. The essential element of fine art they did not seriously seek, or did not seek in the right way, and its absence from the completed product is not surprising.

THE NEED FOR SPECIALISTS

However, that era has passed. We know better to-day, and we know how to get beauty of design if we truly desire it. We are aware that between the selling of manufactured goods and the skilled performance of the artist a great gulf is fixed, to be bridged over only by long years of professional study and devotion to a difficult art; and that this principle holds good in every detail of a building and its furnishings and decorations. Any committee entrusted with the duty of planning a war memorial of whatever nature that does not seek the expert advice of specialists as to every detail of their work is in effect hazarding a misappropriation of the funds at their disposal. No trustee of an estate would attempt to decide a difficult legal point without seeking the advice of a lawyer; nor do wise parents neglect to call in the doctor when their children are ill. If the project is a complicated one a professional adviser at the outset, to tell the committee how to proceed, is well worth the small additional cost. If there is to be a competition, he is essential. In choosing an architect, go to the best. He is likely to be the cheapest in the end. Nor should available expert judgment in the neighborhood be overlooked. Artists, like other professional men, have their weak spots, their dense moments. They should be checked up; sometimes stimulated. Here, too, is where the adviser comes in; also the art commission of a neighboring city or town, who are usually more than willing to advise.[3]

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[3] A fuller discussion of how to obtain a memorial that shall be successful artistically, not limited to buildings, but including all forms, is contained in a *War Memorial Bulletin* recently published by the municipal art society, 119 East 19th street, New York. The

The professional adviser usually saves more than he costs. Expense does not necessarily mean beauty; often the contrary. It is an illuminating fact that the art commission of New York city has saved the city hundreds of thousands of dollars by vetoing ornate designs where simple ones were much more beautiful and suitable.

Now, assuming that whatever building is built is to be beautiful and that such a course of procedure is determined upon as will eventually lead to a beautiful design, what should the building undertake to provide? Unless already adequately equipped with facilities for the following community interests, the officials or committee in charge should seriously consider the community needs in these particulars:

A MEETING PLACE AND SOCIAL CENTER

1. It should provide a meeting place and social center for the returned soldiers and sailors of the community. They have a prior claim. In this connection it should provide for the preservation of relics and records of the war, especially those having local significance. We have already emphasized as a primary necessity the tribute to those who have fallen. Trophies, flags and souvenirs must be exhibited and kept safe. Documents, manuscripts, maps, books, illustrations and other memorabilia and historical records should be properly housed in every community not provided with a fireproof library. Some communities will be able to afford a war museum and war library.

2. But as the war was not waged or won exclusively by the men at the front; as behind them strove the diverse classes of a highly complex society, all for the same end, and as that end was the winning of a democratic freedom, so the social body, in its various voluntary associations, should be accorded opportunity in the building to exercise its democratic aspirations. Meeting places of various sizes will undoubtedly be needed more and more. The local board of trade or chamber of commerce, the grange, the Red Cross, patriotic, historical and defense societies, local charities, rotarians, boy scouts, the improvement society, literary and musical societies, civic organizations, women's clubs, boys' and girls' clubs, may all claim consideration, with any other volunteer groups who need for success not only walls, roof and benches, but also an atmosphere of culture, a touch of human grace as well as the physical presence of neighbors.

Dr. Eugene Rodman Shippen of war camp community service, in a recent address at Northampton, Mass.,[4] emphasized the essential point in these words:

> The memorial must serve social or community interests. Party, class or sectarian aims must never intrude. Employer and employed, Republi-

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Beaux Art Institute, 126 East 75th street, New York, included among its recent competitions for students a projet for a community house as a war memorial, devoting thereto the prizes annually given by the municipal art society.

[4] Printed in part in *The American City*, January, 1919

can and Democrat, Catholic and Protestant, Jew and Gentile, man and woman, must stand on an equal footing. Common needs not otherwise met shall here find their laboratory, field and market, so to speak.

Among other things he includes "community social functions in which the hostess or matron and her aids shall be the symbol of the hospitality of the place—a light on the altar that shall never go out."

A PLACE FOR EXHIBITIONS

3. Closely related to the last mentioned purposes is the exhibition of works of art. It might have been there included, but has been reserved for special mention. Few communities have opportunity to see, still fewer to enjoy, anything of the myriad forms of beauty which man has made, is making, and will make more and more. To a large number of people "art" means paintings, mostly in oils. But were there places to show them, there would undoubtedly be hundreds of travelling exhibitions of architecture, sculpture and the graphic arts, of textiles, ceramics, wood carving, metal work, jewelry, bookbinding and other industrial arts, in addition to the many exhibitions of paintings that can be had at the art centers almost for the asking. America has been very blind to her need and opportunity to wed art to industry and make both joy and money out of the union. Fortunately she is waking up. The community-house can hardly find a more essential basis to get people together on than the art basis.

There should then be a place where all the things just mentioned may be shown, under proper conditions of lighting and safety. If they can be shown in a living-room, they will add to the pleasure of being in the room, but the room should be carefully designed for this double function. This method of exhibition has an advantage over the museum method in that it relates art to daily life, and demonstrates how beauty is simply a better way to live.

PROVISION FOR MUSIC, DANCING AND DRAMA

4. Let me also lay special emphasis upon the need of provision for music, dancing and drama as healthy stimuli of community activity and enjoyment. The flat floor of the gallery—or combined gallery and living-room—may take care of the dancing. But if the community is large or can afford it, a special theatre for music, plays and lectures will be found desirable. With suitable provision, many a local amateur dramatic or musical society will be stimulated into new life. As with the travelling art exhibitions, professional actors and musicians, playing the principal characters and carrying the solo parts, would circulate from town to town, co-operating with the local talent and creating opportunities for amateurs in the minor rôles.

The stage must be carefully planned for its various functions, whether it be a part of a specially designed theatre, or an adjunct of an assembly room. Space fails for a discussion of what is here essential. But those in charge of the planning of any stage, however modest its dimensions or character, should consult those who have made a business of producing artistic stage-effects. It is a matter calling for the most expert and specialized advice if mistakes are to be avoided.[5] The local stage-manager or proprietor will not do, any more than the local monument man sufficed for the Civil War memorial. Nor is it safe to leave this matter to an architect who is without special experience in this line.

REFRESHMENTS

5. Provision should be made for serving refreshments. If the circumstances admit of permanent catering in the building, so much the better, provided only that it is well done. The assembly rooms may then be used for receptions, teas and banquets. It will permit an emphasis upon the social side of the building's functions.

6. If not already supplied through other local agencies, the question of a gymnasium or swinmimg tank (or separate ones for boys and girls) and other recreational facilities should be considered.

7. Such a house gives almost limitless opportunity to generous donors disposed to make special gifts. Rooms, doors, windows, sculptural accessories indoors and out, special endowments for special needs, and many other things come to mind.

8. Finally, though perhaps it should have been placed first, a word of caution should be added as to site. Obviously such a building must be where it is readily accessible to the greatest number, and without more expense than is involved in ordinary car-fare. Also a word of encouragement. Good sites abound if they are sought for. They are right under our noses if we will only look—to put it somewhat Hibernically. From the viewpoint of beauty the site is usually more important even than the building, provided the latter is not aggressively bad. But the number of good sites is surprisingly large, if only the committee will adapt the structure and its surroundings to the site.

If the building, through the facilities embodied therein, meets the genuine needs of the community in which it stands, and if it meets those needs so attractively that it is a pleasure to go there, and particularly if its management is alert, broad-minded and sensitive to the currents of local interest and to local opportunities, "Liberty House" will in most cases be able to support itself. But, like any other business or human enterprise, its success, financial or as a living institution, will depend directly upon its management. Provision for maintenance or endowment of administration, as well as of the fabric, should be considered according to the circumstances of each particular case. The building is but a shell for an institution—a beautiful shell for a living and wholesome and needed institution that will not thrive, or not so well, in an ugly one—but still a shell. Such places will not run themselves. Their maintenance, management and cleanliness must be planned for.

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[5] The reader will find some excellent suggestions on this point in an article by Christine Wetherill Stevenson, entitled *Provision for Art, Music and Drama in Liberty Buildings*, in *The American City* for January, 1919. It includes recommendations as to size, arrangement and many other details.

Our war camp community service, in organizing more adequately the social life of a special community, at the same time demonstrated our need for like organization in our wider communities, and also the prospect of success in the more ambitious project. Now that peace has come, that and other organizations are likely to broaden into a less specialized "community service." With a "liberty house" in thousands of towns, to take care of the little practical and concrete social needs of its particular community—"little" when taken singly, but tremendous in the aggregate—the giant task of constructive nation-building that such agencies are engaged in would be greatly lightened.

WAR MEMORIALS

THE AMERICAN FEDERATION OF ARTS[1]

Office of the Secretary,
1741 New York Avenue, Washington, D. C.

THE American Federation of Arts, on January 2, issued a circular letter containing suggestions for the treatment of war memorials. That letter contained the statement that an advisory committee would be appointed, whose services and advice can be placed at the call of those throughout the United States who are considering the erection of war memorials. This committee has now been appointed. The purpose of this committee is to deal with the entire subject of war memorials in such a way as to afford assistance to officials, commissions and committees who are earnestly endeavoring to make the memorials of the Great War express in a permanently satisfactory manner feelings of honor, sacrifice and patriotism.

The federation is strongly of the opinion that the American artist should be called on to design and to execute any structural memorials of this war, and that in every community the memorial should be an individual, artistic creation. Too often it has happened that war monuments in the past have taken the form of stone or metal soldiers, with little or no variation in design and utterly devoid of artistic feeling and expression—the products of the shop, not the studio.

The federation expects members of the general committee to confer with any organization which is about to erect a war memorial, in order to influence the decision in favor of a work having artistic merit, and to acquaint the members of such an organization with the proper methods to be taken in order to secure that result.

Members of the committee may be consulted on the choice among various forms of memorials, and also as to methods of selecting a designer and bringing the work to a satisfactory conclusion. Any person interested in obtaining fitting memorials may write to the secretary of the general committee for information touching any phase of the matter. The aim is not to dictate but to be helpful. The federation is convinced that thoughtful attention at the beginning of the project will bring good results.

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[1] This letter is reproduced as a practical guide to those who are considering this subject.

PRINCIPLES AND METHODS

For the guidance of its members, as well as of advisers and persons charged with the duty of erecting war memorials, the committee has adopted the following principles, which are substantially the same as the ones laid down by the National Commission of Fine Arts and approved by the National Academy of Arts and Letters:

Memorials may take many forms, varying with the nature of the site, the amount of money available, the desires and needs of the community. Among many types these may be mentioned:

A Flag Staff With Memorial Base. The expense may be little or much, according to the simplicity or elaborateness of the base and the extent of the architectural setting. There is one type of staff to be used in connection with buildings, and quite another suited to an isolated situation. There is variety in flags, also. The great, undulating, sumptuous silken folds of the Venetian flags on the piazza of St. Marks are the extreme of art in flags. Something of this kind and quality we may aspire to in decorative flags.

A Fountain, which may be designed so as to afford places for inscriptions. A fountain may be simple in extreme or most elaborate. It may cost one thousand dollars or tens of thousands. Well placed, it is one of the most permanent of monuments. In European cities fountains are enduring, attractive, useful and distinguished features. Americans are just beginning to realize the possibilities of fountains as memorials.

A Bridge, which shall get its chief beauty from its graceful proportions and the worthiness of the material used. The bridge should be built to last a thousand years and to be a continuing delight during that period. The memorial features may be furnished either by tablets or sculpture or monuments at the bridge approaches.

A Building, devoted to high purposes, educational or humanitarian, that whether large or small, costly or inexpensive, would through excellence of design be an example and inspiration to present and future generations, expressive of the refinement and culture which mark the highest order of civilization. It should, however, be understood that a building entirely utilitarian can not altogether satisfy the desire for a commemorative work of art. The transept of Memorial Hall at Harvard University is an example of the triumph of memorial feeling over utility and even architecture.

Tablets, whether for out-of-doors, or for the walls of church, city hall, lodge room or other building, offer a wide field for the designer. These tablets get value from the beauty of form and especially from the design of the lettering. The inscription should be designed even to the names of individuals, and should not be made from type kept in stock by the tabletmaker.

Gateways to parks or other public places afford a fitting and expressive method of commemoration. Here, too, the architect and sculptor may find full play for their fancy.

Symbolic Groups, either in connection with architecture or isolated, depend for their interest on the universality of the ideas or sentiments depicted and the genius of the sculptor. Success is not impossible; but talent of a high order alone can achieve it.

Portrait Statues of individuals are a favorite form of commemoration. A portrait statue which is also a work of art is not an impossibility, but it is such a rarity that committees should exhaust other possibilities before settling on this one.

Medals. To make a good medal is one of the most exacting things an artist can be called upon to do. Properly to execute a medal takes much time and study, even from the most skillful and experienced. It is not the work of the die-maker, or for the artist who works simply on paper, or for a combination of the two. The designing of a medal should be entrusted only to those who have a fine sense of composition, skill in draughtsmanship, and a knowledge of the subtleties of relief. Not only is the space limited, but the range of ideas and motives adapted to relief is limited. People are inclined to ask too much to be told on a medal. While a sketch on paper or a water color may be valuable as a preliminary step, an order to strike the medal should never be given until the design has been developed in relief, as even a very careful drawing may give a false idea of the relief itself.

Stained Glass Windows offer a field commonly resorted to, and with varying success. The subject is one requiring special study and consideration, and should only be taken up with competent advice.

The Village Green, which exists in almost every small town or may easily be created. Usually this common is ill-kept and without symmetry of form. It might readily be laid out for playground and park purposes, and so improved and maintained. A fountain with a seat carrying an inscription, or a tablet well designed, would form the center of memorial interest.

Other kinds of memorials (such as bell towers, band stands, memorial doorways and memorial rooms) will suggest themselves. Any form that can be made to express feelings of honor, respect, love of country, devotion to freedom and the glory of the triumph of democracy will be appropriate. If the utilitarian structure shall be used, it is of first importance that it shall impress the beholder by beauty of design, the permanent nature of the material used and the fitness of the setting. What shall be done is less important then the manner in which it is done.

THE PROFESSIONAL ADVISER

In any case where it is decided to erect a memorial, the first step for the individual or committee having the matter in charge is to seek the advice of some one trained in the arts to act as an adviser, and to confer with him in regard to

The location, whether out-of-doors or indoors. If out-of-doors, the site is of prime importance. Crowded thoroughfares are to be avoided. Works of art should not be obstructions to travel, either at the time of erection or prospectively. It should be borne in mind that a work of art is not noticed when placed where crowds continually pass it. People will go a distance to enjoy a masterpiece and, unless a memorial has such distinction as to command attention and admiration, it fails of its purpose.

The type of memorial is the second subject for consultation with the professional adviser. He should know how to spend the money available in the manner best suited to carry out the purpose intended.

The selection of the artist should be made with the assistance of the professional adviser. The site and type of memorial having been determined, the adviser should be able to furnish a list of the artists, whether architects, sculptors or painters, who have established reputations for executing the particular kind of work in view. One of these artists should be selected, after an examination of his completed work, and the commission should be given to him. The adviser should be retained, in order to make sure that the completed work in all particulars (including, of course, the inscriptions) conforms to the best standards. No lay committee is competent to pass judgment on these essential elements. Then, too, the adviser should see to it that the landscape or other setting is in harmony with the design, and is calculated to enhance the memorial.

Competitions are sometimes imperative. In such cases, the professional adviser should draw up the program and conduct the competition. Artists of high standing often enter competitions limited to selected artists of established reputation; they rarely enter unlimited competitions. In any competition the essential elements are, first, a good program; and, secondly, competent and impartial judges.

Methods of conducting competitions have been formulated by the American Institute of Architects, the National Sculpture Society, and the National Society of Mural Painters. These methods should be followed by the adviser.

THE CHARACTER OF THE MEMORIAL

The most impressive monument is one which appeals to the imagination alone, which rests not upon its material use but upon its idealism. From such a monument flows the impulse for great and heroic action, for devotion to duty and for love of country. The Arch of Triumph in Paris, the Washington Monument and the Lincoln Memorial are examples of such monuments. They are devoid of practical utility, but they minister to a much higher use; they compel contemplation of the great men and ideals which they commemorate; they elevate the thoughts of all beholders; they arouse and make effective the finest impulses of humanity. They are the visible symbols of the aspirations of the race. The spirit may be the same whether the monument is large or small; a little roadside shrine or cross, a village fountain or a memorial tablet, speaks the same message as the majestic arch or shaft or temple, and both messages will be pure and fine and perhaps equally far-reaching, if the form of that message is appealing and beautiful. Display of wealth, ostentation and over-elaborateness are unbecoming and vulgar. Elegant simplicity, strength with refinement, and a grace of handling that imparts charm are the ends to be sought. These ends require, on the part of everybody connected with the enterprise—committee, adviser and artist—familiarity with the standards of art, and above all, good taste. Only by a combination of all these elements can a really satisfactory result be obtained.

February 24, 1919.

MOBILIZING THE CITIES

DUDLEY CATES[1]

Washington, D. C.

THROUGH the voluntary co-operation of state and local officials with the capital issues committee at Washington, new municipal financing in 1918 was cut in half, thereby releasing approximately a quarter of a billion dollars in labor, materials and credit for the use, directly or indirectly, of the national government. There are no service stars to commemorate this war sacrifice of the cities, but such emblems would not be amiss. The cities, like their citizens, "came through."

The mobilization of the cities came about in this way: Early in the war Secretary McAdoo foresaw that the tremendous financial and industrial requirements of the government would necessarily interfere with the normal development and improvement plans of public and private corporations, or, stated the other way, that if municipalities and private businesses continued as in the past to draw upon the limited supply of investment capital, the government would be unable to meet its needs. These needs being paramount, it became necessary to establish the governmental policy of "war business first," and the capital issues committee was created to give effect to this policy through the rationing of credit virtually on a priorities basis.

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[1] Secretary, Capital Issues Committee.

Supervision of security issues was first undertaken in January, 1918, by an informal committee of the federal reserve board acting at the request of Secretary McAdoo, followed a few months later by the capital issues committee created by the War Finance Corporation Act of April 5, 1918.

To make its work effective, the committee required the co-operation of the cities on a volunteer basis. They could not be drafted, nor was there need. The cities and states throughout the whole country co-operated in a spirit of broad patriotism, recognizing that war made it necessary to subordinate local interests to the national welfare. In return for the willingness of the cites to postpone unnecessary improvements, the capital issues committee undertook to give prompt approval to every project that was found to be essential to the public health and welfare.

The principles underlying the committee's rulings were the same as those on which the government's whole campaign of war thrift was based: cities and states, like individuals, were asked to do without everything that was not vitally necessary in order that the investment market might absorb more readily the successive issues of liberty bonds and in order that the labor and materials required in new construction might be released for the use of the government. The committee acted in an advisory capacity in passing upon all new projects that required capital, determining which were compatible with the national interest in war time.

SCHOOLS AND PUBLIC IMPROVEMENTS

The chief advantage of having a central agency at this time to advise the cities lay in the fact that the committee had the means of viewing all local improvements from the standpoint of the national perspective. Fifty cities might urge the need of new schools, but the relative need would vary greatly. The committee was able to formulate, with the help of the bureau of education, fixed standards amounting to a general rule applicable to all cities. The facts in every case were investigated and the necessity measured in terms of the country as a whole.

The same policies were followed in passing upon proposed bond issues for sewer construction, hospitals, streets and bridges, public buildings, municipal facilities, etc. The committee sought the advice of Surgeon-General Rupert Blue, head of the U. S. public health service, respecting all questions of public health and sanitation. The office of the surgeon-general of the army advised the committee on the need of new hospitals in any locality. Bonds for streets and bridges were authorized by the committee only when the projects involved the elements of military or paramount local economic necessity. As a general rule, the committee disapproved expenditures during the war for monumental buildings and parks, without investigation. In many instances plans for school buildings and other construction were modified so as to reduce the cost, as well as the amount of labor and materials.

PROCEDURE

Through a campaign of education addressed to public officials and investment dealers throughout the country, the committee gave publicity to its policies and called upon every public and private corporation to file an application with the committee before offering securities for sale. An informal procedure was established, involving an application to the committee, investigation by the committee's district representatives scattered throughout the country and by the appropriate boards and departments at Washington, after which the committee would issue its opinion, stating that the proposed issue had been found to be compatible or incompatible with the national interest. Numerous projects were voluntarily abandoned without application to the committee and many others were withdrawn by the applicants when the determining factors in the situation were laid before them. An open letter addressed to municipal officials asking them to submit their construction budgets in advance of making contracts, said:[2]

> The committee respectfully directs your attention to the imperative necessity for the postponement of bond projects that serve no immediate war purpose. The physical facts to bear in mind are the shortage of money, men and materials. The committee is convinced that municipal officials need have no fear that their constituents, the public, will complain if they adopt the policy of waiting until after the war. Willingness to postpone street and bridge improvements, new parks, sewers, schools and other public buildings is as much a badge of honor for an American city to-day as an emblem of success in the liberty loan.

The committee's appeals met with a prompt and conscientious response. No statistics could be assembled to show the direct value to the government of this co-operation, because there is no record of the many bond projects which were postponed until after the war, but the total amount involved in the applications disapproved by the committee and in projects which would otherwise have gone forward may be fairly estimated at $250,000,000.

The states and cities were called upon to render still another great service to the government in addition to the postponement of unnecessary improvements financed by their own bond issues. As the war progressed, the necessity of more radical economies along many lines became apparent and in August the committee addressed an open letter to public utility commissions and municipal officials throughout the country asking their co-operation in helping the public service corporations to retrench. This letter called attention to the fact that under war conditions, "existing facilities must be made to serve in place of new ones, regardless of temporary inconvenience and discomfort," and continued with the following appeal:

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[2] See National Municipal Review, vol. vii, p. 642.

> May we suggest to you that these considerations apply with marked force to the public utility situation. The extensions and betterments which public service corporations are accustomed to make in normal times, either on the initiative of their own enterprise or by direction of the regulating commissions under which they operate, should, in our opinion, be postponed until after the war, unless an immediate war purpose is served, and may we ask of you consideration of the propriety of deferring even the performance of contractual obligations arising from franchise or other local requirements, when no military or local economic necessity is served by such expenditures.
>
> The capital issues committee feels certain that your commission will recognize the paramount need of the government when passing upon proposed additions and extensions by public utility companies, and asks that you co-operate in giving effect to the purposes of the government by restricting every unnecessary use of capital, labor and materials for extensions, betterments, street paving, or other purpose, even waiving, if in your power, the legal requirements that obtain in times of peace, until the present emergency has passed.

Practically all the states and many of the cities responded by assuring the committee that their officials were already acting in recognition of the needs of the government or that they would thereafter bear in mind the paramount interests of the country in the matter of expenditures by public service corporations for new facilities.

Subsequently, the committee circulated copies of a letter received from the chairman of the war industries board stating that "in view of the demands for materials for war purposes, the board would not and could not permit the use of materials unless the need for war purposes can be clearly demonstrated," adding that although the demand for public utility extensions and connections would be "insistent and persistent, only absolute necessity must be considered and not convenience."

Fortunately the signing of the armistice soon brought an end to the unusual conditions which prompted the committee and the board to make these appeals and few customers of public utility companies were put to any inconvenience, although had the war continued this policy would have entailed many sacrifices on the part of the public.

PROGRESS IN MUNICIPAL CIVIL SERVICE

A REVIEW OF REPORTS OF THE PAST YEAR

BY CHARLES KETTLEBOROUGH[1]
Indianapolis

THE work of the various civil service commissions has been seriously disturbed during the past year by abnormal conditions produced by the war. In spite of many and insuperable circumstances calculated to obstruct and retard a wholesome development of the merit system, the various commissions were able, at the conclusion of the year's work, to report satisfactory progress and to enumerate substantial and noteworthy achievements. A recapitulation of the important results achieved would include a recodification and simplification of the rules and regulations of several of the well-known municipal commissions; the standardization of salaries, titles and positions; the creation of personal advisory committees to assist in the selection of a high grade and worthy personnel in the various branches of the public service; remedial measures calculated to deal more justly with discharged or suspended employes; the introduction of efficiency methods in the work of the commission itself; studies and critical analyses of the causes of resignation; and the adoption of more scientific medical standards.

EFFECT OF THE WAR

The war has affected the civil service in various ways. In the first place many persons holding positions in the civil service left their employment to take up military work; more frequent calls, therefore, were made on the commissions for eligibles from which to supply vacancies. But the commissions were not able to supply the demand because the persons from among whom they recruit their eligible lists have also joined the colors. Accordingly, the number of applicants for positions was fewer; there were more resignations; and the demands on the commissions for candidates were more frequent.

In its twenty-second annual report to the mayor, submitted on January 15, 1917, the Chicago[2] civil service commission said that during the preceding six months they had experienced an appreciable scarcity of qualified applicants for positions in the classified service and in the labor service, both skilled and unskilled. Indeed, it was frequently impossible to get either applicants for examinations or persons to fill temporary emergency appointments. The Portland, Oregon,[3] civil service board asserts that the work of the board was greatly increased during the year 1917 on account of the difficulty in providing suitable eligible lists for the various classifications. This condition was due primarily to the fact that private firms offered higher wages and salaries than the city and to war conditions which caused a scarcity of labor on account of enlistments in many departments of the federal service. In Massachusetts the condition became so serious that the commission recommended a temporary arrangement to supply the department with a working force to tide over the exigencies of the war, such as the readjustment of age limitations and physical requirements.

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[1] Director, Bureau of Legislative Information, Indiana

[2] Twenty-second annual report, civil service commission, city of Chicago, year 1916, submitted to the mayor on January 15, 1917. Contains brief report of the work of the commission and of the secretary, the statistics of work done, the Illinois civil service law and the rules of the commission.

TEMPORARY APPOINTEES

One of the perplexing problems with which civil service commissions are constantly confronted is that of temporary appointments. Unforeseen conditions arise from time to time which demand the recruiting of a large number of persons, competent to qualify for the service demanded, who are retained only until the emergency work is completed. The selection of such lists is somewhat baffling and commissions are constantly striving to avoid so far as possible the retention of a large number of short term employes.

The Chicago commission has worked consistently to reduce the number of temporary appointees in the civil service, and there were fewer temporary appointees on the city pay rolls at the beginning of the year 1917 than at any time since the passage of the civil service law, based upon the aggregate strength of the classified service. This condition resulted from a consistent effort on the part of the commission to certify from eligible registers whenever possible and by promptly announcing examinations from vacant and temporarily filled positions. In April, 1915, there were 2,721 temporary appointees in the official and skilled labor services and 1,545 in the common labor service, making a total of 4,266. At the beginning of 1917 there were but 789 temporary appointees in the official and skilled labor services and 281 in the common labor service, making a total of 1,070, or a reduction of 75 per cent. It is generally supposed that temporary appointments are made for periods of 60 days, whereas they are made for but 1, 2, 3, 5, 10, 15 and 30 days. These appointments involve positions in the skilled trades, such as carpenters, bricklayers, steamfitters and structural ironworkers, where unforeseen circumstances require emergency employments for brief periods.

RULES

The Chicago commission has been working on a revision of its rules, which were cumbersome, complicated and in many instances inconsistent with the law. The work is still in progress, as a nation-wide investigation of civil service rules has been carried on, and efficiency methods and standards generally have been studied with a view to obtaining the best in classifications, grades and examination standards that experience affords.

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[3] Annual report of the municipal civil service board of the city of Portland (Oregon) for the fiscal year ending November 30, 1917.

The new rules adopted by the Milwaukee commission became effective on January 1, 1918, and provide greater economy in the administration of the civil service system, enable the commission to fill vacancies more rapidly than in the past and eliminate many superfluous and ambiguous sections.[4]

STANDARDIZATION

Standardization in the civil service has justly received considerable emphasis during the past year. In Milwaukee there has been a notable advance and improvement in the standardization of salaries, titles and positions. This reform was made possible by the adoption by the common council of the report on the standardization of the city service made by J. L. Jacobs & Company of Chicago and the adoption of the annual salary ordinances in conformity therewith. According to the provisions of this plan, standard specifications have been set up by which to measure applicants for city employment, and uniform salaries have been provided so that persons doing like work in the various departments will be paid like salaries, contingent upon equal seniority. Moreover, positions involving substantially the same duties in different departments will be called by the same title irrespective of location, and new appointees selected to fill vacancies will enter the service at the minimum salary rate and do not reach the maximum compensation until after three or more years of service. Los Angeles reports satisfaction with the standardized salary schedule which has been adopted, since it has materially reduced the general feeling of dissatisfaction.[5]

PERSONNEL COMMITTEES

The standardization ordinance adopted by the common council of Milwaukee provides for the creation of personnel committees, representing the various lines of work, such as engineering, nursing, medical, clerical, etc., in the city departments under its control. These personnel committees will meet with representatives of the commission for the purpose of perfecting examinations, maintaining the standardization of the service and working out a system of efficiency records which can be utilized in connection with salary advancement and promotion by examination.

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[4] Twenty-second annual report, covering the calendar year 1916 and the twenty-third annual report, covering the calendar year 1917, of the board of city service commissioners of the city of Milwaukee.

[5] Fourth annual report of the Los Angeles county civil service commission for the year 1917.

DISCHARGE

By an amendment to the Wisconsin civil service law in 1917, city employes are given the right to a hearing after discharge, reduction or suspension for more than thirty days. Employes in departments under the control of the common council are entitled to a hearing before the city civil service commission and employes of independent boards will have their grievances heard by the board by which they are employed. In the new rules adopted by the Milwaukee commission and effective on January 1, 1918, causes of discharge are clearly defined and include failure of an employe to pay or make provision for the payment of his just debts and political activity of a pernicious sort.

ADVERTISEMENT OF OPPORTUNITIES

The Milwaukee commission has devised a system of advertising among the citizens of the municipality the opportunities for employment in the city service under the merit system. An arrangement was made with the superintendent of the city water department to attach a slip to each water bill enumerating the opportunities for employment in the city civil service. The bulletin boards of the various schools were also used for advertising civil service examinations and the results in both cases were most gratifying.

EFFICIENCY METHODS

The Milwaukee commission is undertaking a thorough reconstruction of the work in its own office in the interests of efficiency and economy. The record system is being completely revised so that the entire history of each employe may be kept on a single card instead of on many cards as formerly; the method of checking pay rolls by the book system will be supplanted by the card system; and common labor application blanks have been reduced from a four-page form of legal size to a 4 by 6 card.

RESIGNATIONS

During the year 1917, the St. Paul[6] bureau of civil service undertook an investigation of the causes of resignations from the city service, by sending a letter to every employe who resigned, asking his reasons for resignation. Out of 267 replies received, 39 persons stated that they had resigned because of insufficient salary; 19 because of unsatisfactory working conditions or lack of opportunity for advancement; 3 to accept pensions; and the others because of marriage, requested resignation, suspension or unknown or miscellaneous causes. A study of these statistics convinced the commissioners that the city is in urgent need of a proper standardization of salaries and duties, better working conditions and better supervision. Some advance has already been made in this respect. In 1916 the bureau standardized the clerical service of the city and the results showed fewer resignations and more general content among this class of employes than among any other in the service. In standardizing salaries in any branch of service, enough elasticity should prevail so as to afford a higher wage to efficient persons and those longest in the service and most familiar with the work.

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[6] Fourth annual report of the civil service bureau of the City of St. Paul for the year 1917.

INDIVIDUAL EFFICIENCY RECORD SYSTEM

The system of recording periodic individual efficiency records, formerly in operation in St. Paul, was abolished. Experience proved that an individual efficiency record, determined by mathematical formulas that contemplate the measuring of the employe's ability, industry, reliability, attendance and conduct, produced no material improvement in the public employment, except in isolated cases, where it proved a worth-while stimulus. On the part of many employes, the system caused indifference, discontent and a suspicion that favoritism dictated the markings. Seniority and meritorious service will be continued as in promotion examinations, and credit for past service will be based on specific, written, renewable facts rather than the mechanical system of recording efficiency by marks that were for the most part based on judgment only.

MEDICAL STANDARDS

The St. Paul commission undertook and carried out a systematic revision of the medical standards used in ascertaining the physical fitness of applicants for positions. A specific questionnaire and a copy of the former standard were sent to about 75 of the leading surgeons of the city. The returns received were tabulated and a revised system of medical standards and medical tests was evolved.

PENMANSHIP STANDARDS

Measuring scales for rating the quality of handwriting have been used for some time in St. Paul with rather unsatisfactory results. For the purpose of rating penmanship on a more equitable basis about 80 specimens of distinctive handwriting were collected and submitted to several expert penmen for rating. After preliminary ratings had been made, the specimens were sent to A. N. Palmer of New York who made a critical analysis of the specimens and evolved certain definite standards, which are being used as criteria.

RECOMMENDATIONS

The recommendations made by the various civil service commissions relative to the needed amendment of the laws includes the modification of the so-called trial clause, conferring upon heads of departments the power of discharge with the right of appeal to the commission vested in the employe affected; the elimination of the probationary period; and the elimination of the rule of three in promotions and the right of the commission to determine whether or not the public interest will be best subserved by holding an original entrance or promotion examination to fill any given position.

The secretary of the Chicago commission recommends the establishment of a bureau of character investigation and of experience verification as a means of searching for all facts as to the record of applicants and eligibles and the accuracy of statements and reports made in the examinations.

The St. Paul bureau advances two recommendations. One to include in the classified service all positions except those of a policy-determining nature. The second is that the city should at least investigate the desirability of establishing the pension or retirement system for city employes.

The remainder of the available reports for the year yield little information as to the progress or work of the various commissions. For the most part they contain the rules under which the commissions operate, charter provisions, laws, the statistical results of examinations and questions for principal examinations.[7]

St. Louis, during the year 1918, has published two elaborate pamphlets dealing with the classification and standardization of positions in the classified service of the city. The report is a well-arranged digest and compend of schedules, groups, grades and titles. A brief succinct description of the duties of each position is given, the compensation, vacation, etc., being indicated.

EMPLOYMENT MANAGEMENT

In a very thoughtful article in *The Public* for September 14, 1918, William A. Bird points out some of the manifest weaknesses in the present civil service system and insists that the science of employment management must be more fully developed. The merit system is not exclusively or predominately a means of keeping government administration out of politics, although the baneful effects of the spoils system accelerated the movement for civil service reform. But this is primarily a negative result. The positive achievement is that the merit system is a force for public service; it assures the rendering of the most effective public service at the least public cost. Neither are competitive examinations merely a means of doing justice to the candidates; the important thing is how may the public be best served in the selection. The question of reform is purely an employment problem and is too frequently entrusted to men wholly ignorant of large-scale employment methods. A civil service commission to function adequately should have all the powers of an employment department. Its power is restricted to keeping out improper persons. It should have the additional power to insist on efficient work, to remove the unfit and to prevent the removal of fit persons who are politically obnoxious to the party in power.

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[7] Fifteenth annual report of the board of civil service commissioners of Los Angeles, California, July 1, 1916–June 30, 1917.

Questions of principal examinations: Municipal civil service commission of the city of New York. Five pamphlets, issued quarterly and covering the period from April, 1917 to June, 1918.

Annual report of the board of civil service commissioners for the city of New Orleans, Louisiana, for the year 1917.

Rules of the efficiency board, governing the classified service, city of St. Louis, Mo., 1917.

Classification and standardization and description of duties of positions in the classified service of the city of St. Louis, 1918.

Description of the duties and classification of positions in classified service of the city of St. Louis, 1918.

TRADE UNIONS

The attitude of the trade unions to the civil service is a question of first importance and in an article in *The Public* for August 24, 1918, Ordway Tead expounds the doctrine with considerable pungency. He quotes a recent statement of William Dudley Foulke that persons in the employ of private industry are not in the same position as employes of the state. The latter are "servants of the state; they have not the right to resist the government; they have no right to strike or to combine for the purpose of striking or to exert pressure of any kind upon their employers by means of their organizations." Mr. Tead takes issue with this statement on the theory that the state is thereby exalted at the expense of the personality of individuals and that the trade union among employes should be frankly recognized and that it should be a directive force in shaping the policies of departments and guaranteeing democratic management.

PUBLICATIONS

During the past year two interesting and informing publications dealing with the civil service have appeared. Dr. Leonhard Felix Fuld, assistant chief examiner of the New York City commission has compiled a small book entitled *Opportunities of the Civil Service* which gives an excellent technical résumé of the whole question of the opportunities in the civil service to which is appended a list of states and cities having civil service commissions. The second of the two publications is devoted to a more restricted field and deals with the opportunities for women in the municipal civil service of New York city, and is a study of the number of women employed, their duties, qualifications, compensation and length of service and is based upon an investigation made for the Intercollegiate bureau of occupations and the Women's auxiliary of the New York civil service reform association.

A PERMISSIVE CITY MANAGER LAW

SOME of the people in New Hamsphire asked Professor A. R. Hatton to draft an act which would permit cities to frame their own charters. It is probable that under the constitution of New Hampshire the legislature could not give to cities the final power to frame and adopt their own charters and it is still less probable that the legislature would do so even if it could. In states like New Hampshire where special city charters are popular (and even the rule), it seems desirable that there be some recognized method by which cities can indicate to the legislature the type of charter desired. With that idea in mind Professor Hatton has drafted the following bill which is an adaptation of a portion of the constitutional provisions of the new municipal program of the National Municipal League.

It represents a very interesting application of the principles involved where home rule does not exist and probably will not for many years. It has been drafted with the thought in mind that the legislature might find it difficult to approve a charter which came to them with the backing of a popular vote in the city concerned. In California where the legislature must approve, home rule charter approval has never yet been withheld.

DRAFT OF BILL FOR NEW HAMPSHIRE AUTHORIZING CITIES TO FRAME CHARTERS AND SUBMIT THEM TO THE LEGISLATURE FOR APPROVAL

SECTION 1. Any city may frame and adopt a charter for its own government in the following manner: The legislative authority of the city may by a two-thirds vote of its members, and upon the petition of 10 per cent of the qualified electors shall forthwith, provide by ordinance for the submission to the electors of the question: "Shall a commission be chosen to frame a charter?" The ordinance shall require that the question be submitted to the electors at the next regular municipal election, if one shall occur not less than sixty nor more than one hundred and twenty days after its passage, otherwise, at a special election to be called and held within the time aforesaid; the ballot containing such question shall also contain the names of candidates for members of the proposed commission, but without party designation.

SEC. 2. Candidates for election to a charter commission shall be nominated by petition which shall be signed by not less than 2 per cent of the qualified electors, and be filed with the election authorities at least 30 days before such election; provided, that in no case shall the signatures of more than five hundred (500) qualified electors be required for the nomination of any candidate. If a majority of the electors voting on the question of choosing a commission shall vote in the affirmative, then the nine candidates receiving the highest number of votes shall constitute the charter commission and shall proceed to frame a charter.

SEC. 3. Any charter framed as provided in this act shall be submitted to the qualified electors of the city at an election to be held at a time to be determined by the charter commission, which shall be at least 30 days subsequent to the completion of the charter and its distribution among the electors and not more than one year from the date of the election of the charter commission. Alternative provisions may be submitted to be voted upon separately. The commission shall make provision for the distribution of copies of the proposed charter and of any alternative provisions among the qualified electors of the city not less than 30 days before the election at which it is voted upon. *Such proposed charter and such alternative provisions as are approved by a majority of the electors voting thereon shall be submitted to the legislature of the state at its next regular session and be subject to the approval or disapproval thereof as in the case of other proposed laws.*

Sec. 4. Amendments to any city charter may be framed and submitted to the electors by a charter commission in the manner provided by this act for framing and submitting a charter. Amendments may also be proposed by a two-thirds vote of the legislative authority of the city, or by petition of 10 per cent of the electors addressed to the clerk of the legislative authority, setting forth the amendment proposed; and any such proposed amendment shall be submitted to the electors at a regular or special election as provided in this act for submitting the question of choosing a charter commission. Provision shall be made by the legislative authority of the city for distributing copies of any proposed amendment among the electors at least 30 days prior to the election at which such amendment is to be submitted. Any proposed amendment approved by a majority of the electors voting thereon shall be submitted to the legislature of the state as provided in this act for a proposed city charter.

THE GOVERNORSHIP: SOME OPINIONS OF THE GOVERNORS

BY PROFESSOR WILLIAM A. ROBINSON,[1]
St. Louis, Mo.

THE governors' messages of 1919 contain some interesting comments on the present status of the office. The governorship is one of the places in our political system which offers increasing opportunities for leadership and executive talent, but it is badly in need of greater power and freedom from constitutional and statutory restrictions.

Two governors, Davis of Idaho and Bartlett of New Hampshire, devote a considerable portion of their biennial messages to a discussion of the office, both agreeing on the essential defects of the present system. The former points out that there is a general misconception as to the position of the governor, first, because many people believe that the president and governor have similar powers in their respective spheres; and secondly, because the same people have an intimate knowledge of modern business organization with its centralized and responsible executive. While the constitution of Idaho declares, "the supreme executive power of the state is vested in the governor," other provisions of that document and various statutes have nullified this declaration. "Without himself possessing the responsibility, he is charged with all the mistakes and delinquencies of the various departments of the state government, over a majority of which he exercises no control." "The governor and council" states Governor Bartlett, "have been so stripped of their powers by a gradual process of 'farming out' their powers to others that now, they are not only not the 'chief' executives of the state, but in nearly all of the very important matters of finance where judgment and discretion are involved they are no executives at all." Like Governor Davis, he states his belief that the people actually do not know "how completely the hands of their elective executives have been tied while at the same time they are held responsible." Both illustrate this lack of power by specific examples. Governor Bartlett's discussion of his relations to two great executive agencies, the highway commission and the trustees of the state institutions, is of interest to all students of government. These officers spend a large part of the annual revenue and yet the governor has no power of direction or veto over their doings. "His hands are absolutely tied, yet he is responsible to the people for the welfare of these institutions. . . . The law and the system created are wholly wrong, have dangerous tendencies and possibilities, are subversive of good government, unnecessary, expensive, undemocratic and in violation of the constitutional intention that the governor and council should be the chief executive officers of the state." Governor Davis's views are similar. "To-day, the governor is the direct representative of the people and should be the direct executor of their public affairs. He should be given the power not only to formulate plans for the better welfare of the people, but he should be given the power, when these plans have received general approval to carry them into execution. . . . As applied to the science of government, the greatest lessons that we have learned from this war are the value of co-operation and the need of wise and effective leadership. The war has exposed the fallacy and weakness and inefficiency of much of our governmental machinery. . . . I appeal to you, to revive the office of chief executive, to recreate the governorship." Both governors, in effect, ask for the same reforms, the creation of a cabinet system modeled on that of the national government.

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[1] Member of the Department of Political Science, Washington University.

A similar spirit appears in the statements of Governor Bickett of North Carolina. Discussing the popularity of the present system of electing executive officials, he declares that "there never was a more tragic delusion than that the people select these officials. . . . There is no more reason for electing the governor's council than there is for electing the president's cabinet. . . . Presidents of railroads and other corporations are selected by small boards of directors. Railroad commissioners and corporation commissioners are elected by all the people. Who are most efficiently served by their chosen officials'" He goes on to state his belief that only the governor and lieutenant-governor should be elected and as "a start in the right direction" urges the enactment of a law that all state administrative officers whose election is not required by the constitution shall hereafter be appointed by the governor.

CLOSER CONNECTION BETWEEN GOVERNOR AND DEPARTMENTS

In Iowa, Governor Harding urges a closer connection between the chief executive and all administrative departments, so that proper co-ordination and control of policies may be secured. In Nevada, Governor Boyle points out that in 1915 and again in 1917 he had recommended the reconstruction of the state government along the lines of the national government. "The state governments, alone among the governments of the world, retain the principles of electing the heads of co-ordinated branches, a process which while supplying ample checks and balances, departs absolutely from managerial processes employed in all of the efficient enterprises in the world, be they public or private." While admitting that public opinion may not yet be ready for drastic changes, he asks that the governor be given the appointment of the attorney-general. Governor Goodrich of Indiana makes the same request, stating that it would hardly constitute "a dangerous centralization of power" to give the chief executive the right to choose his own legal advisor. Governor Carey of Wyoming asks for authority to suspend officials failing to enforce the laws, and for a fund with which to carry on investigations.

While the unusual pressure of reconstruction business has led the governors to give less attention to this subject than in 1917, the importance of the matter is steadily growing. No one can examine the growing business of the states without realizing the imperative need of a better administrative organization, with power and responsibility centralized in the governorship. Governor Davis meets the usual charge that such changes would be undemocratic, by pointing out that the difference between autocracy and democracy does not lie in the extent of executive power, but in the manner and conditions of exercising that power. Under the system proposed "any failure on his part to function as an efficient manager will, under a system of centralized responsibility, be quickly apparent to the public and the consequence of such failure visited upon the delinquent."

COUNTY GOVERNMENT IN MONTANA

BY WADE R. PARKS
Thompson Falls, Montana

IN Montana there are forty counties; and the area of most of the counties is greater than that of some eastern state. Counties in Montana are largely governed by a board of county commissioners, who are given broad powers of a legislative and executive nature, and also some judicial functions. In Montana we have very little in the way of township organizations; and this is to be regretted. The only township officers we have are justices of the peace and constables; and usually these do not exist or do not function. In Sanders county we have townships as follows: Camas Prairie, Lonepine, Jocko, Thompson and Smeads. The jurisdiction of the justice of the peace in each township is as wide as the county. Very few persons have any conception as to just where the boundary lines of the townships are. They know that certain villages and towns are in certain townships. The law provides that there shall be two justices and two constables in each township. In only three of the townships do we have the two justices and in none of them have we the two constables. Some of the townships comprise as much as 350 square miles. The township government is not very active or efficient. One of the leading justices in a county, and located at the county seat acts in various capacities to wit: town clerk, U. S. commissioner, truant officer,—and being unable to control himself *in re* intoxicants has been "siwashed,"—that is notices have been posted in the saloons to desist from selling or giving him any liquor. Yet from time to time he obtains such quantities of liquor as to incapacitate him (occasionally being placed in the county jail to sober up) in performing any official function. Trials before such a justice to enforce the penal laws are frequently a farce,—especially before a jury selected by the constable who is a "good umbria" with the gang. And this township is not the only one in the county which is so unfortunate in the matter of such township government as survives. And the local justice of whom I speak has held his position for years. Sometimes they "railroad" one of an independent mind who really has committed no great offense or perhaps none at all while on the other hand a real offender against the law is liberated amidst great applause and ovation. And that county is not the only place in Montana where such things happen. The more serious the crime the more friends the accused seems to have and his most active defenders are usually found amongst the sworn officers of the law; this is the case in many instances in the higher court in many counties.

To sum it up there seems to be a drift towards making a hero of those guilty of crime and every effort is made to have them declared "not guilty." I have prosecuted men for crime and absolutely proven every point and had the defendant admit the doing every thing that he was accused of and yet there were acquittals time after time. Probably the chief factor in the acquittals is the local antagonisms resultant from having the county seats in very small towns absolutely in the control of powerful corporations. At least this is one factor.

Therefore I can say as to township government that it is of a vanishing nature and verging to borderline of lawlessness. There could be an improvement if there was a wiser way of selecting a jury.

AS TO ROADS

The county commissioners have general supervision of the highways. They create road districts and appoint a supervisor who serves at the will of the board. In this county we have twenty road districts,—and this last spring the board appointed in two instances one supervisor for three districts so that we have but sixteen supervisors in the county. The tendency of the boards is to desire to have closer supervision of road work.

The practice of the commissioners is to authorize road work for the payment of which the county does not have funds to pay. This is a very usual practice in Montana. The commissioners order the payment of the claims for which there are no funds,—the warrants are marked "not paid for lack of funds" and draw 6 per cent interest, and after accumulating $50,000 to $100,000 are refunded into bonds of the country. This method of financing gives the commissioners a method by which they bond the county without referring the matter to the vote of the people; the constitutionality of this system of bonding is in question and is unsettled in Montana. It works to the disadvantage of communities who desire large improvements which require large expenditures,—such as building of bridges across rivers. Commissioners are limited to the expenditure of $10,000 for any one purpose. Therefore a bridge requiring more than $10,000 cannot be built without a vote of the people and the people cannot authorize the necessary bonds if the commissioners have already outstanding deficiency warrants which corner the limit of bonded indebtedness which must not be more than 5 per cent of the assessed value of the property in the county.

In short: the county financial system is in a most unsatisfactory condition and seems to be drifting away from constitutional constraints.

FINANCES

Another financial problem is in the assessments. Large portions of the wealth of this county as well as in many other portions of Montana is corporation wealth. Most of the timber resources are held by one corporation. The three corporations controlling timber, power sites and power houses and the railroad interests pay 75 per cent of the taxes of the county. Many individual holders of timber or other lands pay taxes on their holdings at a higher assessed valuation than do the corporations on similar lands of equal, in many cases of far more, value or wealth. Much of the land of the county was once railway land grant land and is still held by corporation interests.

In the matter of drawing juries for district court as well as for the justice's courts there could be some improvement to the general welfare and would inspire confidence in the courts. I believe that all jurors' names should be placed in a uniform capsule and all capsules placed in a glass box and all names drawn in the open from said box.

There are many ways in which county government could be improved. I believe that the county government should be placed closer to the people. A county council with frequent meetings at the county seat, the council to be elected by the people from subdivisions in the county with a provision for a few to be elected at large with proportional representation to be provided for would be beneficial. Give the county council legislative powers in the expenditure of certain funds, etc., and in the organizing of the defunct township organizations, etc.

The school system is in better condition than any other department, but could be improved in the matter of services to the public. School houses should be utilized as community centers instead of being closed in the interest of those who own private halls "for rent." And schools are weak in many places for lack of the necessary revenue which should be forthcoming. The state legislature has attempted to remedy this condition by provisions for a county levy and also state funds. Districts located in localities where low assessment of wealth is the rule have few dollars to expend, while other school districts with less children to educate, but with a higher assessment roll, are not troubled for want of funds.

CONSTRUCTIVE SUGGESTIONS

Supplementing what I have already stated and in accord with your request to state what could be done along constructive lines will add:

1st. That improvements in the matter of taxation could be greatly improved, removing burdens from activities yielding no profits, but tending toward developing the natural resources; also taxing the natural wealth that is held in large blocks by corporations, such as timber, etc.

2d. In the matter of the care of public property much could be done Every year the county buys large quantities of road supplies such as scrappers (slips), spades, plows, etc., and later tractors and other machinery for road purposes; little care is taken of this property. In Montana where the road overseer is appointed by the county commissioners he should be required to account for all materials and a public building should be maintained for its keep.

3d. In Montana many counties employ a county agent who is supposed to be skilled in advising the farmers in the conduct of agricultural activities. In this county the agent resides in the county seat town, which is twenty-five miles away from the more central part of the county as measured by population or territorial extent. Mr. Agent should reside near the center of agricultural activity and should also reside on and conduct a model farm.

4th. They have county elections every two years,—it should be changed to every four years.

5th. County officials should have some qualifications aside from being able to peddle the "bull" and drink booze. In short saloons should be closed during the entire campaign for public office and no officer or candidate for office should be permitted to treat any one.

6th. Thousands of dollars are being wasted in this county on the unwise location of permanent roads. Highways are being located on such a steep grade as to require cars to ascend for a distance of two to five miles on "low gear" under difficulty. More competent engineers should be available where a permanent highway of consequence is to be located along main traveled routes that a feasible grade might be secured and the money spent be of permanent use.

7th. In the matter of handling of county prisoners and the jails things could be bettered. Prisoners are thrown into jail here and kept at the expense of the county for months; no work provided; no incentive for improvement.

8th. Saloons should be more restricted. No saloon should be permitted in an unincorporated town or village.

9th. Township governments should be established and made to play a vital part in the government of the county . . . and the township government should be a counterpart of the county government,—the county government should have a judicial branch of more authority than the justice of the peace and should be required to have educational qualifications and some knowledge of the law.

10th. Some counties have very few public parks; the county seat town does not usually have the court house square around which the town is usually built in the east and middle west. I suggest that public parks and play and recreation grounds should be provided and maintained at public expense. They could be of use for camping grounds for trans-continental tourists in autos, etc. And now such future utilities could be established at small expense.

11th. Increase the length of the tenure of public office and provide that no one may succeed to a second term. This will eliminate "trimming" and some corruption that goes with the temptation of a second term.

As to what is being done to remedy any of these evils will state that we have a legislative committee on taxation and tax reform which will report to the coming session of the legislature.

As a rule the legislative measures passed at the biennial session do more harm than good. Confusion holds greater prominence than reason in the legislative halls and hundreds of ill-digested bills are introduced and scores of them are made into laws in the closing hours of the session which lasts but sixty days. It seems to me that counties might be given legislative authority via the referendum in matters of local jurisdiction. Sanders county is a small community as counties go in Montana, having less than 8,000 population and about 1,700,000 acres of land mostly mountains.

We have vast stretches of mountains and waste lands; the mountains have in the past been heavily timbered which has been removed by timber exploiters and fires. Tracts of timber are being removed by lumber companies and nothing left but a waste land of stumps often covered with tree tops and smaller trees which have been destroyed in the haste to remove the cream of the forests. Nothing is being done to stop this waste either by the local, state or national government. The national government maintains a forestry service which devotes its activities in building trails, fighting forest fires and work of reforestation.

SOME NEEDED REFORMS IN PUBLIC HEALTH WORK IN NEW JERSEY

BY M. N. BAKER[1]

Montclair, N. J.

EMERGING as we are from an unprecedented epidemic of influenza, facing a rise in the general death rate due to the epidemic and the world war, confronted also with reconstruction problems which reach to the very foundations of both health and democracy, the times demand that attention be centered on constructive public health work based on sound principles of government, efficiency, and economy.

At such a juncture we look to our state department of health for inspiration, example, leadership. What do we find? Only a few days ago a close observer deplored the unprogressiveness of the department. "It is not even drifting," he said, "it is stagnant." My own conviction, based partly upon personal experience as a member of the reorganized board, is that the efficiency of the department would be greatly increased if the board were swept out of existence or restricted to advisory duties,

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[1] Lately member of the New Jersey state board of health and of the Montclair board of health; associate editor of *Engineering News-Record.* A paper read before the New Jersey Sanitary Association, December 6, 1918.

Although delivered to a New Jersey audience, Mr. Baker's remarks have a general application. The interest in the address lies in (1) the fact that most of our states still have boards with mixed functions and many of those boards are needlessly inefficient outside of statutory handicaps; (2) plain speaking by one who had been a former member of the board. The association adopted a resolution endorsing the main points in the and all executive functions of the department were centered in a single commissioner, as is the practice now in New York, Pennsylvania, Massachusetts, Maine, Connecticut, Ohio, West Virginia and Oklahoma.

The statute reorganizing the department is sound in most of its fundamentals. It goes far in separating the legislative and executive functions of the department and in making the director the chief executive officer. But it established a considerable division of responsibility. The director has surrendered and the board has assumed powers plainly vested in the director, but the board, like such boards in general, is not properly constituted for quick and efficient executive work. The result is circumlocution, delays, postponements, the killing of initiative and general discouragement of the bureau chiefs and assistant director, who are the real life and working force of the department as it stands to-day.

The department lacks a living, growing plan of health-protective work, coupled with a real budget. It has lacked the courage, the initiative, the vision to determine what's what in public health work, to establish relative values in terms of costs. Granted full powers to frame and enforce a state-wide health code and to see that local boards enforce the code and the state health laws generally, the department has been slow in drafting the code and slower yet in seeing that local boards do their full duty to their communities and the state.

Latterly the department has been hampered by the war, but the war has spurred thousands of other agencies to overcome all obstacles and achieve marvelous results. Moreover, the great weaknesses of the department were manifest before we entered the conflict. Always more money has been needed, but the funds available have not been used altogether to the best advantage—through lack of plan and budget. Shortage of funds, war handicaps, influenza epidemic should all combine to stimulate the department to more careful planning, the elimination of non-health-protective work, the throwing out of dead wood and all around increased economy and efficiency. Let us hope that more has been done in all these respects than has yet been revealed.

I believe that the greater part of the executive staff of the department is as devoted and as efficient as could be expected under its handicaps.

paper and instructing its legislative committee to co-operate with the New Jersey Medical Association in an effort to make the New Jersey state board of health purely advisory.

The Montclair board of health was abolished by resolution of the town commission on January 2. It had never been formally established under the Walsh commission-government act, but had been held over for two and one-half years. On several occasions the commission or the mayor took action as though there were no board, at least once contradictory to the decision previously reached by the board. There were two vacancies on a board of seven and later there had been difficulties at times in getting a quorum. We are advised that the mayor's decision to abolish the board was made after the reading of Mr. Baker's address.—EDITOR.

The responsibility rests with the board, the legislature and the governor. As a creature of the legislature and of a vicious system designed in the interest of political parties rather than the public good, the board is of the so-called bipartisan type. The statute also provides that certain professions must be represented on the board. Consequently, if the veterinary member goes off the state must be searched for a successor who shall be not only a veterinarian, but also a Republican or a Democrat, as the case may be. A greater potential evil lies in the fact that in the exercise of its most important function, the choice of a director, the so-called bipartisan feature may become null, since in case of a tie the governor of the state casts the deciding vote. This makes for divided responsibility, political favoritism, and general inefficiency. Either the board or the governor alone should appoint the director. Were the board eliminated or restricted to advisory functions, appointment would lie with the governor and responsibility be undivided. For the personnel of the board the successive governors are responsible.

To save time for a discussion of these and related pressing questions, I shall bring my remarks to a close. I trust I have said enough to arouse the earnest thought and fruitful discussion which the subject deserves, without going into details which would divert attention from the main point, which is that our state department of health needs to be reformed, to the end that it may be a leader in these critical times, doing not alone such direct work as belongs to it, but serving also to point the way in local health administration—which, after all, is the vital thing,—leading where local departments need leadership, compelling where without compulsion the public health will not be protected.

MUNICIPAL SCHOOL FEEDING

BY JOHN C. GEBHART[1]
New York City

THE approval of an item of $50,000 by the board of estimate and apportionment of New York city for school lunches marks the successful culmination of a year's agitation for municipal school feeding. The appropriation of this sum indicates that the city of New York now recognizes its responsibility toward the underfed school child. While the board of education has not yet indicated exactly how this money is to be spent, it undoubtedly intends to use it as an initial step in a broad program of municipal school feeding. The money was available January 1, 1919, and it is likely that the first move of the board of education will be to take over the school lunches now being operated under private auspices and to extend the service to other schools where it is needed, as long as the funds are available.

[1] Executive Secretary of the New York School Lunch Committee.

The action of New York city will undoubtedly draw attention to the school feeding movement and to the effect which it is likely to have on the functions of municipal government. In spite of the fact that school feeding has been carried on successfully and extensively for a generation in various European countries and is now being done in 85 per cent of the progressive cities of this country, the American public is still largely ignorant both of the extent of the movement and of the social philosophy underlying it.

HISTORY OF MOVEMENT

School feeding had its earliest beginnings in Germany, for as early as 1790 municipal soup kitchens were established in Munich, to which underfed school children were sent for an adequate meal. The movement gradually spread throughout Germany until in 1909, the work was being carried on in 189 cities. In 78 of these cities the meals were provided entirely by volunteer societies; in 68 cities, by volunteer societies assisted by government subsidies, while in the remaining 43 cities, the meals were conducted entirely by the municipality.

The development in England and France, however, is of more interest to us, since the social ideals and institutions of these countries are more in accord with our own. The English education act of 1870 which enforced school attendance was largely responsible for the initiation of the movement in England. The corralling of the childhood of the nation in the public school brought to notice thousands of sickly, emaciated children who otherwise would have remained hidden in the slums of great cities. A large number of volunteer societies sprang into existence to meet this need and in 1905 it was stated on good authority that there were 355 separate organizations for school feeding in 146 towns and cities in England.

ENGLISH EXPERIENCE

The work, however, was far from satisfactory and the investigations into the causes of the physical impairment of children which followed the public clamor at the time of the wholesale rejection of military recruits for the Boer War, resulted in a strong popular demand for the transfer of this work from private to public control. The result was that in 1906, Parliament passed the provision of meals act. This act permits local authorities to provide meals for school children at cost for those who can afford to pay and gratis for necessitous children. The authorities are permitted to draw on the public funds for this work, but are limited in the amount they may spend to what would be produced by a tax rate of a halfpenny to the pound.

The offer of public subsidy naturally led many authorities to undertake the work. While in 1907, the first year after the adoption of the act, only 2,751,326 school meals were served by local authorities, in 1915

29,568,316 meals were served. Since 1915, however, the number of meals served has fallen off considerably, due to the "war prosperity" which has reduced the number of children applying for free meals.

The act is administered by canteen or care committees composed either entirely or chiefly of members of the local education authority. The canteen committee usually makes all arrangements for the feeding centers such as the hiring of the help, purchase of the food, serving of the meals and selecting of necessitous children.

In spite of the fact that the provision of meals act was adopted as an educational measure for the purpose of making school children physically fit to receive the education which is offered them, the system so far has been little more than an instrument of charitable relief. More than 90 per cent of the children are served free. Although the act provides that undernourished children whose parents can afford to pay for the meals must be charged for them, the parents usually retaliate by withdrawing the children from the meals thus defeating the very purpose of the provision.

FRENCH EXPERIENCE

School lunches in France were an outgrowth of *Caisses des Ecole* or school funds established by the residents of various districts to encourage indigent children to attend school by providing them with clothing, food, medical aid, etc. Although the school funds were started by voluntary effort they were gradually assisted by public subsidies and in 1882 their establishment in each arrondissement was made compulsory. School meals in France are thus an outgrowth of community life and to that fortunate circumstance must be attributed their remarkable success. The patronizing, "poor law" atmosphere is entirely lacking in spite of the fact that ordinarily two-thirds of the meals are served free. There is a growing demand to make the meals universally free, *i. e.*, maintained by the municipality out of the public treasury as an educational measure. By 1909 the work had grown until meals were being provided in 1,400 arrondissements for 187,000 children and in the same year, nearly eight million meals were served in Paris.

THE AMERICAN MOVEMENT

The movement in America is of a much more recent origin and is greatly in need of development and extension. The first school lunch was established in Philadelphia in 1898. The beginning was made in New York in 1908, when the New York school lunch committee was permitted to install a service in two public schools. Under private auspices the work was gradually developed, until last year 57 elementary school lunches were being maintained in the various boroughs by the New York and Brooklyn school lunch committees.

Under the present arrangement, the committees assume all responsibility for the conduct of the various lunch rooms. The board of education, however, provides the necessary space for the kitchen and lunch rooms and usually equips them.

The American public has always been opposed to free feeding. The ideal has been to make a self-supporting school lunch available for all children who for various reasons are unable to secure an adequate lunch at home. Such children, it is pointed out, are now given pennies with which to purchase buns, pickles and other unnutritious and harmful foods from pushcarts and candy stores. With the pennies they now spend for such trash, they could purchase from a properly equipped school luncheon an adequate and nutritious lunch. Such a lunch would, therefore, be nearly, if not quite self-supporting, and would have the advantage of giving the child a practical and much needed lesson in food economy.

No adequate census has ever been taken of the extent of school feeding in America, but a recent survey of the bureau of municipal research gives us a fair idea of the growth of the movement. The bureau sent a questionnaire to 131 cities of 50,000 population or over; replies were received from 86 of them. Of these 86 cities, 72 were operating school lunches. In 46 of them, however, the service was available in both high and elementary schools, while in two cities, it was restricted to elementary schools. In five cities, the service was provided only for special classes. The growth of the work in various cities during the past four or five years is clearly shown in the following table.

GROWTH OF SCHOOL LUNCH SERVICE IN CERTAIN CITIES WITH 300,000 POPULATION AND OVER

(Prepared by the Bureau of Municipal Research)

City	*Period*	*Growth*
New York City, Manhattan	1911–1916	Elementary— 9 schools to 49 schools
New York City, Brooklyn	1912–1916	Elementary— 4 schools to 16 schools
Chicago	1912–1916	Elementary—10 schools to 28 schools
		High — 0 schools to 31 schools
Philadelphia	1913–1917	Elementary— 0 schools to 16 schools
St. Louis	1913–1916	Elementary— 1 school to 5 schools
Boston	1911–1917	High —18 schools to 18 schools
Pittsburg	1914–1917	High — 3 schools to 7 schools
Los Angeles	1914–1917	Elementary— 7 schools to 10 schools
		High —13 schools to 16 schools
San Francisco	1912–1916	High — 1 school to 3 schools
New Orleans	1911–1916	Elementary— 2 schools to 10 schools
		High — 3 schools to 3 schools
Minneapolis	1911–1916	Elementary— 2 schools to 7 schools
		High — 5 schools to 6 schools

New York city is by no means a pioneer in municipal school feeding, for in 68 of the 72 cities, the work is entirely in the hands of the local city government. Chicago, Philadelphia and Cleveland are among the larger cities which have led New York in this important step. The task confronting New York city, however, in organizing this work is, of course, larger than in other communities, for if the board of education is to take over the existing services in both the high and elementary schools, it will operate over one hundred luncheon centers.

There seems to be fair unanimity of opinion among the workers in this field that the receipts from the luncheons in elementary schools ought to cover at least the cost of the food. While in a few instances, notably in Brooklyn, the elementary school lunches have been made entirely self-supporting, most cities have been able to do little more than meet the cost of the food and about half of the labor cost. Philadelphia has made its elementary school system pay by adopting the expedient of applying the profits of the high school lunches to the deficit of the elementary schools.

The problem of the administration of school lunches under municipal control is greatly simplified if the two aspects of the work, the administrative and the educational, are kept separate. The business of operating one hundred lunch centers throughout the school year effectively and economically is a task calling for executive and administrative ability of the highest order. It would be a mistake, therefore, for New York city to follow the example of some of the smaller cities in placing the school lunch work under the domestic science department. The experience of all large cities seems to indicate that a separate bureau of school feeding should be established for this work with an executive manager at its head who is responsible directly to the city superintendent of schools. The co-operation of the domestic science staff, however, should be secured in such matters as the selection of the menus, the preparation of certain dishes in the cooking classes to be sold at the lunch counter and in stimulating an interest among those who attend the lunch in food economy.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

Welfare and Housing, a Practical Record of War-Time Management. By J. E. Hutton. London and New York: Longmans, Green & Co., 1918. Pp. 190. Illustrated. $1.50 net.

England's longer participation in the war cost her more than did our shorter participation, but it also gave her time to learn many things thoroughly that we had just begun to study when, on November 11, we joyously threw our lessons on the junk heap. Among the things the war taught or rather re-taught England—and failed to teach us, was the value of good, not merely decent or merely sanitary, but good housing and good management. Before November 11 the lesson had been so well learned in England that it was possible to write a book about it. In America there are not even the materials for such a book, for not only are our war-time housing developments still uncompleted, but Congress seems determined to scrap them before there is any opportunity for them to prove of value.

In these days of violently antagonistic propaganda it is well to know who is attempting to guide our thoughts and what his affiliations are. Mr. Hutton had been for three years engaged in attempting to solve the "problems which are attached to the housing of many thousands of work people of both sexes, and catering to their manifold needs." He was employed by Vickers, Ltd., the great shipbuilding company whose hundred thousand employes were distributed among several plants in different parts of the kingdom. His task was not only to secure these workers, but also to ensure provision of adequate arrangements for their accommodation and general welfare.

So much he tells us in the introduction. But even more important is what he tells indirectly in the final chapter on industrial unrest. He is keenly conscious of this unrest; he foresaw what has occurred in Great Britain since the signing of the armistice, and being a believer in a system which provides for capital and labor, "master" and "man," is tremendously concerned over the "new" doctrines that would do away with such distinctions. "Our whole future existence," he says, "depends upon a clear understanding between capital and labour." "Remove or break down the barrier of suspicion and distrust and the rest will follow." "It will take time and time is precious." "Let the 'masters' get together with the 'men,' and let both sides forget the past and be prepared to meet in a spirit of compromise, with the single purpose in view of the interest of the empire and the welfare of our great nation."

The inadequacy of these "lets" in a time that calls for imperatives is eloquent of Mr. Hutton's position as a representative of the "masters" who knows the problem, sees clearly some ways of dealing with it, but cannot speak in a tone of command. If he and those like him were granted time, as perhaps Americans will be, they might allay the unrest to such an extent as to make orderly evolution possible. But as the unrest in England is to-day greater, the crisis nearer, than in America, so too are the English employment managers farther advanced than those of America, most of whom are still concerned only with problems inside the shop. The eleven chapters that come between the introduction and industrial unrest cover all those factors in the worker's life that make for content or discontent; beside housing they discuss canteens that provide good, hot food without waste of time or cash; motor transit which saves time for the firm and prevents irritation to the worker; hospitals and medical services; amusements; works police; the woman's point of view—a chapter written by a woman which shows clearly that within the works at least woman's point of view is not very different from man's. Mr. Hutton realizes that conditions of living have quite as much to do with unrest as have conditions of work. This he emphasizes by putting the two chapters dealing exclusively with housing near the beginning of his book.

The most refreshing thing in Mr. Hutton's book is its utter absence of any pretense what "welfare," a term he uses with reluctance for want of a better, is, from his standpoint, no more than intelligence applied to a business problem. There is no cant about benefits conferred, but through the whole book there is evidence of good will and an attempt at understanding to the end of securing better co-operation and greater efficiency. The importance of this cannot be over-emphasized, for were the attitude different the value of much that is suggested would be lessened. Even as it is, and remembering that the book deals with war times, one questions occasionally whether there should not be clearer distinction between war-time necessities and good peace-time policies. The canteen which furnishes a good dinner and saves for recreation time that otherwise would be spent hastening to and from home, undoubtedly makes for greater efficiency in the factory. Should it, therefore, be considered part of the plant and run at cost, or, much more questionable, run at a loss "for girls working short shift and not earning high wages."

The "temporary housing" problems have ceased, we hope, to be of immediate importance, though in discussing them Mr. Hutton injects some observations of continuing concern—as on his difficulties in making members of sixteen nationalities live peacefully together—the English may perhaps learn from Americans here—and some observations of contemporary interest, as his discovery that Belgians require special treatment because their habits and standards of living are so different from those of the English. "Candidly," he says, "it must be stated that their ideas are most primitive. They decline to make use of baths if provided for them, and lavatory accommodation is employed for the reception of waste vegetables, etc., constant trouble arising from this cause." These are troubles American housing workers constantly meet.

It is when he comes to permanent housing that he is most instructive. Vickers, Ltd., built a "marine garden city" commensurate with its probable normal needs, near the plant at Barrow-in-Furness. Before the war the company owned 1,000 houses, about one-fourteenth of the whole town of Barrow. By the fall of 1916 it had built or financed 610 more cottages at a cost of $750,000. It also secured the co-operation of the rural housing organization society, through which it was able to borrow two-thirds of the required capital from the national government (public works loan commissioners), and erected 589 cottages on an estate of sixty acres at Crayford and 400 cottages at Erith. Parks, playgrounds, allotment gardens, theaters, institutes, a public house, at which the "sale of intoxicants is in no way forced," were included in these developments. Clubs and recreational activities were financed by the workers themselves. The cottages are widely spaced, only ten or twelve to the acre; they are equipped with modern conveniences; running water, bath, electric lights, gas for cooking, and contain in addition to a living room, parlor and scullery, three bed rooms. England seems to have accepted the three-bedroom minimum while we in America still argue the advantages of one and two bed rooms.

On the financial side there is again a question. The rentals apparently bring in a little over 7 per cent gross on the cost of developing the estate. While two-thirds of the cost was borrowed from the government at presumably around 4 per cent—the rate is not given—this does not leave much for taxes, repairs, depreciation and management. The cost, however, was abnormally high because of the war, and it may be that part of this will be written off, as we propose to do with our government war villages. But again this is not stated. Again the advantage of an arrangement which brings another than the employer into the ownership and management of the houses is not definitely stated, though it is indicated, as in the chapter on amusements, "And, above all things, the desire to 'leave the works out of it' is positive. Out of Blob's pickle factory into Blob's recreation hall is 'not good enough'; it is too much like work with the chill off."

Lacking an American book, or even the material for one based on such definite experience, it is to be hoped that *Welfare and Housing* may find its way into the hands of the many American employers who to-day are seriously concerned over industrial unrest and are pitifully seeking to sooth it without looking beyond their factory gates. To be sure, it does not contain the whole answer; it does not even hint at their responsibilities as citizens for conditions in large industrial communities. But at least it does show that something more than wages, hours and working conditions must be considered.

John Ihlder.

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Budget Making in a Democracy: A New View of the Budget. By E. A. Fitzpatrick. New York: The Macmillan Company, 1918. $1.50.

Dr. Fitzpatrick's reason for calling his volume "a new view of the budget" is far from clear. In the main it is an unconvincing argument against what he calls the "executive budget," but which he nevertheless apparently approves with certain slight modifications. Unfortunately, the book gives the impression of being inspired by some personal dislike of Dr. Frederick A. Cleveland. A great deal of space is devoted to an effort to demolish the particular type of executive budget which Dr. Cleveland has very vigorously advocated. Dr. Cleveland's idea of budget reform has been attacked before, however, notably in New York state when the proposed constitution was under discussion in 1915. There is nothing new, therefore, in that feature of Dr. Fitzpatrick's volume. For his advocacy of continuing appropriations and his condemnation of pork-barrel legislation he would scarcely claim originality.

Possibly the "new idea" is that budget estimates for the so-called administrative commissions, such as tax commissions and public service commissions, should not be reviewed by the executive, but should go to the legislature without review. Dr. Fitzpatrick's reasons for this proposal are that these commissions, having certain judicial functions, should be treated as are the courts, and since these bodies have a quasi-legislative function "their natural relationship is with the legislature rather than with the executive." This will hardly convince those who consider tax commissions and similar bodies to be primarily administrative in character. Nor will it give much comfort to those who look forward to some co-ordination of independent commissions. Government by commissions is none too popular with taxpayers now. The wisdom of multiplying commissions and exempting them as to their financial demands from the scrutiny of the chief executive may well be questioned.

Apparently the author's chief claim to "a new view" of the budget is that "the determination of the amount of public expenditure is not a financial problem at all, but a political and social one." While this may or may not be considered a novel idea, there is no doubt that it needs emphasis at the present juncture. There is too much tendency to assume that "budget reform" will reduce the tax rate. As a matter of fact, the best system that can be devised for preparing budget proposals, the most ideal legislative procedure and a perfect system of budget control and accounting will not greatly reduce expenditures. If the budgetary problem is one of expanding governmental functions, it is indeed a political and social question.

In the opinion of the reviewer, however, nothing is to be gained by confusing this idea of the budget as the "essence of government" with the budget as a problem of honesty and efficiency in financing public activities, quite apart from social and political theories as to what activities a democratic state should undertake. Much more can be accomplished in ridding democratic institutions of their greatest weakness—inefficiency—by looking upon budget reform as a problem, to use Dr.

Fitzpatrick's own words, of getting "a hundred cents in service for each dollar of public funds expended, *whatever the amount expended*" (italics not the author's). After allowing for waste due to inefficiency and dishonesty, the *amount* expended is mainly a question of policy to be decided by the people through the proper legislative machinery. To confuse this fundamental problem of the extent of governmental functions with the problem of eliminating graft and waste is most unfortunate.

On the whole, it seems fair to say that Dr. Fitzpatrick's volume is too contentious to be of much help to the practical legislator confronted with the task of putting order and efficiency into the public housekeeping. On the other hand, it is too dogmatic and one-sided to be a safe guide to the student and general reader. In the hands of a skilful teacher or budget expert, however, it might be very useful in provoking discussion of the fundamental features of budget-making.

C. C. WILLIAMSON.

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THE LITTLE DEMOCRACY: A Text-Book on Community Organization. By Ida Clyde Clarke, with introduction by P. P. Claxton, U. S. Commissioner of Education. New York: D. Appleton and Company, 1918. Pp. XV, 253.

Mrs. Clarke has brought together much of the best opinion and many fine prescriptions for community organization. Her book deals primarily with the school community center, but contains excellent chapters on the community garden, the community market, and the community kitchen. The chapters on various types of clubs are helpful.

Mrs. Clarke has drawn freely on the documents of various departments and bureaus at Washington and her volume is especially indebted to Dr. Henry E. Jackson of the bureau of education and Professor Hugh Findlay of the U. S. Department of Agriculture.

The volume cannot be pronounced an adequate treatise on community organization because it fails to raise or even suggest most of the difficulties of the subject, and there is lacking either a descriptive or analytical treatment of such decisive experiments as are being conducted in Cincinnati, in Framingham, in New York, under the leadership of Community councils, in New Haven, under the war bureau, in Kirksville, Mo., under the leadership of Mrs. Harvey. There is no reference to the growing contact between organized labor and the community movement, and the subjects of immigration and Americanization are left out.

But as far as its contents go, the book is interesting and practical.

JOHN COLLIER.

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OUR NEIGHBORHOOD: Good Citizenship in Rural Communities. By John F. Smith, Professor of Social Science, Berea College Academy. Philadelphia and Chicago: The John C. Winston Company, 1918. Pp. XI, 262.

Professor Smith has written a text-book for country boys and girls, which approaches the ideal. It gives enough information for the boy or girl to know how to go about answering the questions at the end of each chapter, and these questions lead out into the entire problem of rural life. As an example of method, the book would have value for any urban teacher as well, and for any teacher of social science, even to graduate groups.

This text-book does more than give facts or arouse and direct intellectual interest. It is full of specific techniques, having to do with games, household arts, the protection of wild life, the reduction of waste on the farm. There are about seventy-five illustrations, all of which are well chosen and clearly printed.

This book can be unreservedly recommended.

JOHN COLLIER.

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CRIME PREVENTION. By Lieutenant-Colonel Arthur Woods. Princeton, N. J.: Princeton University Press. Pp. 124. $1 net.

Although the title promises somewhat more than the contents warrant, the book carries out the aim of the author, namely to tell what a modern police department has done and can do to prevent crime. Colonel Woods is well qualified to speak on this subject after four years of progressive work as police commissioner of New York City.

The book of nine chapters is a very brief sketch on the police department's relation to crime. It begins with a much needed explanation of the limitations of conventional police methods; a chapter, which, coupled with the one following on educating the public, if read generally, would do much toward helping communities judge intelligently of the effectiveness of their police departments.

Among the causes of crime discussed are poverty, mental defectives and drink and drugs, under each of which a series of typical cases, drawn from the experiences of the author, are presented. The chapters on convicts and juvenile delinquency relate also by specific instances what the New York police department has tried to do in the matter of preventing the convict from going back to his old life and in guiding aright youngsters in danger of becoming launched upon a career of crime.

While the subject matter is discussed with an absence of technical terms, statistical data and other evidences of profundity, the book has a distinct value as an introduction to a more thorough study of causes of crime and crime prevention. Its easy, colloquial style is an asset because the book is quickly and easily read and if read arouses interest.

ARCH MANDEL.

Detroit Bureau of Governmental Research,
January 4, 1919.

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THE RESULTS OF MUNICIPAL ELECTRIC LIGHTING IN MASSACHUSETTS. By Edmond Earle Lincoln. (Hart, Schaffner and Marx Prize Essays. XXVII.) Boston and New York: Houghton Mifflin Company. 1918. Pp. XX+484. $3.00.

It is interesting to contrast this carefully prepared study with the frankly polemical book by A. M. Todd,[1] reviewed in the January issue. Mr. Lincoln, who served as expert in charge of the 1917 census of central electric light and power stations in the United States, is decidedly conservative while Mr. Todd makes his appeal frankly on partisan grounds and endeavors to win over the reader. Mr. Lincoln aims to "command the full confidence of the public" and claims that he is "wholly impartial, holding no brief for either side."

The book compares some thirty odd municipal electric lighting plants with the "most nearly comparable" private plants and endeavors to furnish an accurate and impartial study of the technical, financial, historical and developmental aspects of their operation. As to impartiality, however, the author does not hesitate to leave loopholes of escape for the hardened opponent of public ownership, for he says: "It must also be recalled. . . that . . . public business has been compared with private business *at its worst* in the state, from which fact the reader is at liberty to draw what inferences he may choose."

There is a number of chapters of painstaking analysis of financial and statistical matters which apparently leave no stone unturned. Conclusions are given in chapter XIV, and it is here that we advise the reader to "proceed with caution." After the statement quoted in the preceding paragraph we come upon others of a similar nature: "In the first place, it appears that the conditions under which the municipal generating plants are operating, both natural and artificial, are more favorable to success," but their history does not "indicate that they have in general been instrumental in promoting the higher industrial development here found."

Further: "When the pragmatic test is applied, it becomes evident that, from the physical, financial, and developmental point of view, when due allowances have been made, this group of public plants (Holyoke excepted) have, in the more important respects, usually lagged somewhat behind the private plants studied." Also: "They seem not to be serving their more favorable territory so adequately as are the latter." Even though the public plants "have recently, for the most part, been doing reasonably well," this condition is attributed to "over-conservatism rather than to superior efficiency."

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[1] See Vol. VIII, p. 77.

The tale goes on in similar vein with references to "politics" and "graft" which, "in at least one case," were "disgusting beyond belief," while as to private plants it is the writer's opinion that although "there may have been some mismanagement and even exploitation in the past in one or two cases, there seems to be little real ground for complaint at present." That the public plants are reasonably successful would seem to be shown by the author's statement that "a good share of their success is due to the fact that they are dependent upon private enterprise for that portion of the business which is most difficult to be handled by public officials," and he assures us that "all credit is due them . . . inasmuch as they have been rendering, at a comparatively low cost, service which would in many cases have been difficult if not impossible to secure from private concerns." But notwithstanding this record it is the author's opinion that in Massachusetts at present "there is no reason whatever why a municipality should invest in an electric plant."

DORSEY W. HYDE, JR.

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THE A B C OF EXHIBIT PLANNING. By Evart G. Routzahn and Mary Swain Routzahn. (Survey and Exhibit Series, edited by Shelby M. Harrison. XIV). Pp. 234. New York: Russell Sage Foundation, 1918. $1.50.

The value of story-telling by pictures is generally recognized to-day by members of the publishing and advertising professions and the movement for graphic presentation of fact information has long since extended to the field of civic and social endeavor. Particularly within the past decade there have been interesting attempts to present community problems of health, sanitation, housing, and moral welfare by means of exhibits, lantern slides and motion pictures. In this book, for the first time, there is presented an authoritative exposition of present-day means and methods for driving home community problems—and the remedy—by means of exhibits. Well qualified by personal experience in exhibit work, Mr. and Mrs. Routzahn have compiled a valuable record of their own experience together with the general conclusions which they have derived therefrom.

The general scope of the book is outlined in the second chapter, which emphasizes the necessity of "having a plan," a single, definite purpose, and that in working out the graphic expression thereof, full and painstaking consideration must be given to the type of audience it is desired to reach and impress. The general method to be adopted is next considered; then the content of the exhibit; and finally the exhibit forms to be employed and their arrangement in the exhibit headquarters. Special attention is given to the need for interpreting the exhibit after it is installed, including printed directions, pamphlet literature, lecturers, "explainers" and the like. Further preparation and interpretation should be obtained through a well-planned campaign of newspaper publicity. The preliminary work of organizing the forces responsible for the exhibit and directing the actual construction is also given special emphasis. The cost feature and the distribution of the expenses is a problem demanding careful consideration if the exhibit is to be successfully conducted. After the exhibit has been shown, and the public awakened to some sense of the importance of the subject involved, it is important that an effort be made to clinch this favorable impression and bring about a desire for remedial action.

The principles and rules of action laid down along the lines above indicated are clearly expressed and reinforced with a goodly number of illustrative photographs, diagrams and charts. Of particular interest are the photographic examples of good and bad exhibit panels. Towards the end of the book there are presented an instructive plan for a state campaign centering around a traveling exhibit, and an exhibit for continuous educational work. The four appendices contain sections on the exhibit budget; committee work; the Stanford baby week exhibit, and an example of an explainer's talk. There is a suggestive three-page bibliography which should prove helpful, although it might have been made more inclusive. The following references were not included: The "Anti-alcohol movement in Europe," Ernest Gordon (chapter on traveling anti-alcohol exhibits); How to Use an Exhibit, New Jersey state board of health; "The Value of a Municipal Exhibit," Lent D. Upson in the NATIONAL MUNICIPAL REVIEW (January, 1915); The Chicago Tuberculosis Exhibit, *Bulletin of Chicago Tuberculosis Institute* (October 1, 1914); "Essentials of a Home Products Exposition," John M. Guild. Three articles published in *The American City* were listed and general reference was made to that publication, but it might have been well to indicate specifically the following: *How a Suburban Town Held a "Know-Your-Town" Exhibit* (September, 1914); *"Playing Up" a City's Most Valuable Asset* (January, 1915); *An Effective Exhibition of a Community Survey* (February, 1915), and *Spokane's Municipal Exhibit* (November, 1915).

In his preface to the volume Shelby M. Harrison refers to the definition of the survey as "the application of scientific method to the study of community problems, plus such a distribution of the resulting facts and recommendations as to make them, as far as possible, the common knowledge of the community," and he points out the important part played by the exhibit in this connection. Surveys and exhibits in the past have not always been made as effective as they could and should have been, and there is great need for the building up of a standardized technique. As a first step in this direction, *The A B C of Exhibit Planning* will be found invaluable to civic and social workers generally, and it should prove of great aid in helping them to a larger conception of their opportunities and the methods best fitted for their expression.

DORSEY W. HYDE JR.

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HOME AND COMMUNITY HYGIENE: A Text-Book of Personal and Public Health. By Jean Broadhurst, Ph.D. Philadelphia and London: J. B. Lippincott Co. Pp. 428; illustrated.

The broad scope of this book is indicated by its title and sub-title and by the following outline of its contents. Communicable diseases and their control, homes, camps, schools and other community units are each given a chapter, as are child welfare and middle age. Next come chapters on tuberculosis, industrial, mental and military hygiene, social and urban conditions, vital statistics, health education and administration. A glossary, notes supplementary to some of the chapters, a brief bibliography and a detailed index complete the volume.

The range of the book is perhaps too broad for full personal understanding by one person of the many subjects treated. This has sometimes led the author to cite specific authorities for matters of common knowledge while in other cases errors or misleading statements appear where the author has wandered away from or misunderstood the authorities consulted. The chapter on sewage disposal affords an illustration of both kinds of weakness. Under public health administration too much space is given to federal as compared with state and local activities, and in general the chapter is inadequate. But in the main the volume is sound. It contains much valuable information and many stimulating suggestions. A widespread study of its contents would contribute materially to more healthful home and community conditions. M. N. B.

II. BOOKS RECEIVED

A COURSE IN CITIZENSHIP AND PATRIOTISM. By Ella Lyman Cabot, Fannie Fern Andrews, Fanny E. Coe, Mabel Hill and Mary McSkimmon, with an introduction by William Howard Taft. New York: Houghton Mifflin Company. Pp. 386.

A HISTORY OF SUFFRAGE IN THE UNITED STATES. By Kirk Porter. Chicago: The University Press. Pp. 260. $1.25.

American Charities. By Amos G. Warner, Ph.D. Third Edition Revised by Mary Roberts Coolidge, Ph.D., with a biographical preface by George Elliott Howard, Ph.D. New York: Thomas Y. Crowell Company. Pp. 541. $2.50 net.

Autocracy vs. Democracy. By William James Heaps. New York: The Neale Publishing Co. 1918. Pp. 121.

Citizenship in Philadelphia. By J. Lynn Barnard, Ph.D., and Jessie C. Evans, A.M. Philadelphia: The John C. Winston Company. Pp. 376.

City Ways and Company Streets. By Private Charles Divine. New York: Moffat, Yard and Company. 1918. Pp. 64. $1.

Civics for New York State. By Charles DeForest Hoxie. Revised and enlarged. New York: The American Book Company. Pp. 409.

Echoes of Democracy. By Edward Gruse. Boston: The Gorham Press. Pp. 60.

Foreign Financial Control in China. By T. W. Overlach. New York: The Macmillan Co. 1919. Pp. 295. $2.

Location, Construction and Maintenance of Roads. By John M. Goodell. New York: D. Van Nostrand Company. Pp. 226. $1.

Municipal Electric Light and Power Plants in the United States and Canada. By Carl D. Thompson. Chicago, Ill.: Public Ownership League of America. 1917. Pp. 149. Double Number—Price 50 cents.

Preparing Women for Citizenship. By Helen Ring Robinson. New York: The Macmillan Company. Pp. 130. $1.

National Governments and the World War. By Frederic A. Ogg and Charles A. Beard. New York: The Macmillan Co. 1919. Pp. 603. $2.50

Storing—Its Economic Aspects and Proper Methods. By H. B Twyford. New York: D. Van Nostrand Company, 25 Park Place. 1918. Pp. 200.

The New American Citizen. By Charles F. Dole. New York: D. C. Heath and Company. Illustrated. Pp. 376.

The American Municipal Executive. By Russell McCulloch Story, Ph.D. Urbana, Ill.: The University of Illinois. Pp. 231. $1.25.

The English Village. A Literary Study, 1750–1850. By Julia Patton. New York: The Macmillan Company. 1918. Pp. 236. $1.50.

The Future Belongs to the People. By Karl Liebknecht. Edited and translated by S. Zimand. With an introduction by Walter E. Weyl. New York: The Macmillan Co. Pp. 144. $1.25.

The New America. By Frank Dilnot. New York: The Macmillan Company. Pp. 145. $1.25.

The Results of Municipal Electric Lighting in Massachusetts. By Edmond Earle Lincoln. New York: Houghton, Mifflin Co. Pp. 484. $3.

The War Program of Social Work. Proceedings of the National Conference of Social Work. 1918. Kansas City. 1918. Pp. 722. $2.50.

The Woman Citizen. By Mary Summer Boyd. New York: Frederick A. Stokes Company. Pp. 260. $1.50.

III. REVIEWS OF REPORTS

Plan of Minneapolis.[1]—In the foreword of this elaborate presentation of a most elaborate plan, these significant words are quoted from the resolutions of January 7, 1910, preliminary to the formation of the Civic Commission: "Therefore, be it resolved that this Citizens Committee elect a Civic Commission to investigate and report as to the advisability of any public works in the city of Minneapolis which, in its opinion, will tend to the convenience and well-being of the people, the development of business facilities, the beautifying of the city, or the improvement of the same as a place of residence."

The importance of planning is emphasized by the editor who says: "In the growth of cities it is difficult to bring the mind to realize with adequate conviction the fact that the future is just as sure as the past, that the time of doubled, trebled and quadrupled growth will come just as surely as tomorrow's sun will shine." It is on this basis that a plan is proposed "for a city of one and two million population while yet Minneapolis is under a half million," and with the general idea that Minneapolis is to become a "city useful" as well as a "city beautiful." Mr. E. H. Bennett of Chicago, long the associate of the late Daniel H. Burnham (who gave impetus to all city planning by his White City of the Chicago Exposition in 1893), was selected "to make a study of Minneapolis with outside eyes."

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[1] *Plan of Minneapolis*, prepared under the direction of the Civic Commission by Edward H. Bennett, Architect. Edited and written by Andrew Wright Crawford. Published by the Civic Commission, Minneapolis, 1917. Quarto, 227 pages, with many tinted and colored illustrations and maps.

Some twenty chapters cover every point of the plan, including a careful presentation of approaches, arteries of traffic, the public centers, the water fronts, transportation, housing, parks and playgrounds, railroad lines and all other features of a great community, the smoke menace and the skyscraper. Concluding chapters, deal with "The Economic Value of Beauty to a City," and the financial and legal phases of the whole scheme.

Particularly interesting is the daring plan for "a series of low-level and high-level drives on each side of the Mississippi River." The "low-level roadways will give access to the water. The high-level roadways will link all the bridges into a completely coördinated traffic arrangement," while "the railroads will be undisturbed."

This great and comprehensive plan, in which beauty is the consistent by-product of utility, is a worthy addition to the series of dreams of fair cities which are to be realized in America, now that the world is at peace and that the high patriotic spirit of our people is being turned into channels of construction instead of destruction. The Bennett plan is a great scheme greatly set forth, in harmony throughout with the noble paragraph quoted from Daniel H. Burnham at the beginning of the book: "Make no little plans; they have no magic to stir men's blood and probably themselves will not be realized. Make big plans; aim high in hope and work, remembering that a noble, logical diagram once recorded will never die, but long after we are gone will be a living thing, asserting itself with ever-growing insistency. Remember that our sons and grandsons are going to do things that would stagger us. Let your watchword be order and your beacon beauty."

J. Horace McFarland.

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Self-Owning Towns of Tomorrow.—A unique series of articles, entitled "Self-Owning Towns of Tomorrow," has recently been running in the press throughout the country. The primary purpose of the articles is to interest the public in the program of the Committee on New Industrial Towns, which was organized in 1916 for the purpose of studying methods whereby the unearned increment created in various localities by the influx of new population following the establishment of new industries may be anticipated, conserved and converted into extra annual revenue for the community. One might suppose that an exposition of such a subject would prove an excellent tonic for even the most inveterate case of insomnia. Quite the contrary, however, is the truth for the writer of the series, Richard S. Childs, has the rare knack of making even the driest subject not only readable but interesting.

The series includes ten articles on such subjects as "Land Booms and Their Sinister Meaning"; "Gary—A City by Decree"; "The New Kind of Mill Villages"; "How to Create a Taxless Town"; "Letchworth, the English Garden City"; "How the British Workers Beat the Land Speculators"; "The New Government-Owned Villages of Britain"; "The New Government Towns"; and "The Government's Plans."

The article which will command the most attention is probably that on "How to Create a Taxless Town." This presents in a rough way the constructive program of the committee for the establishment of new industrial towns. The method outlined may be best stated in Mr. Childs' own words:

> Select a tract apart from any existing town and buy enough land to give your projected village a broad protective belt of your own land. Then your action in bringing an influx of population to that area will not confer a windfall of rising land value upon the downtown business frontages of a neighboring town, nor enrich a lot

of undeserving nearby land owners on your borders. The increment will be all your own.

Plan your town so as to discourage the movement of the people into outside uncontrolled areas for purposes of buying supplies, so that the man who wants your people's trade must establish his store on your land and come with his family and clerks to live in your town. Make it, in other words, a self-contained and self-sufficient town, by every legitimate device! If possible, make shopping attractive by the provision of a good store center, lights, arcades, etc., so as to draw trade from the neighboring villages and farms. Your commercial values will be your "velvet" and you can make your Main Street frontages worth $500 a front foot.

Encourage and facilitate the coming of other industries.

Don't sell a foot of land except to churches and, if necessary, to factories. Lease the land with or without buildings and make the leases as short as possible so that as the town grows and land becomes still more valuable, you can readjust the rentals. Residential streets will not alter much in value even if the town grows large, and land leases of fifteen or twenty years are permissible. But your business frontages must be on short leases or with frequent impartial reappraisals, or on some sliding-scale basis that changes with the growth of population or the local payroll. Men who build on leased land will need special co-operation in getting mortgage money. Sell houses, if you like, but not the land beneath them.

Limit the dividends of your land company to 5 per cent annually and retire the invested capital by a sinking fund or amortization process.

Use the excess income to increase still further the attractiveness of your town, thus strengthening your land values. There will be an excess and a big one, consisting of the annual value of that $250 per capita of unearned increment, or say $12.50 a year per person on top of ordinary taxation of about $10 a year.

Roughly, the money available for community purposes will thus be double ordinary town revenues!

When the town gets well under way, let the people elect the directors of your Land Company, subject to a deed of trust so that the principle of group ownership will never be impaired, you exchanging your stock investment for serial mortgage bonds.

A town with double normal revenue, a town that owns all its underlying land, a town that turns the full annual value of the land into the common treasury, won't need any taxes. But remove taxes and land values would jump, so you will press them down again by correspondingly enlarging the rental you claim for tax-free land, so it comes to the same thing in the end—a doubled public revenue.

What makes the appearance of these articles especially opportune at this time is the disposition which must soon be made of the towns and suburbs built by the government during the war. As Mr. Childs states: "Nothing but some form of group ownership or local municipal ownership or private single ownership under a limitation of profits will convey to all the people of these towns the full value of their novel heritage."

Herbert S. Swan,
Executive Secretary, Zoning Committee.
New York City.

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Survey of the City of Springfield, Illinois.—The Russell Sage Foundation's survey of the city of Springfield, Illinois, was completed in the autumn of 1914 after several months of field study. The findings and recommendations were first made public in Springfield through a survey exhibit held in the state armory and through the local newspapers, and these efforts were reinforced by a series of pamphlet reports which have been very widely circulated. These pamphlets are now assembled in two portly volumes, which are soon to be followed by a third as a summary.

The introductory note makes it clear that the appearance of these volumes at the present time has very little to do with the Springfield survey. Adequate publicity for survey purposes was achieved by the pamphlet reports as originally published, and the principal apology for reissuing them in book form is the suggestion that they have a mission as a general treatise on the subject of urban social and political institutions.

As merely a survey report on the city of Springfield, these volumes would be entitled to much praise in spite of some obvious shortcomings. The fact-gathering is shown to have been exceptionally thorough and apposite, and certainly the methods of presenting the facts are far superior to those employed in the great majority of survey reports. Probably it is also accurate to say that the analyses of the facts and the recommendations based thereon will not suffer by comparison with what has been done in other survey reports.

But when we are required to evaluate these volumes as a reference work on the civic problems of American cities, we are assailed by persistent doubts. Really it can not be said that they contribute much that is new to the literature on American cities except the facts about Springfield. Nor is there any manifest advantage in approaching every problem via Springfield, and in many instances it is obviously a disadvantage because the conditions in Springfield either forbid extensive discussion of subjects that a general treatise should exhaust or conversely demand much space for matters that are not of great moment in most cities. To illustrate: The well and privy menace is elaborately treated in this report, while the question of sewage engineering is dismissed with four very superficial pages; yet it is a fact that the latter problem is the more important in most cities.

This calls attention to what, from the standpoint of a general treatise, is perhaps the most salient defect of these volumes; namely, the assumption that the problems of Springfield are representative because Springfield is what has been termed a "typical" American city. Persons experienced in municipal surveys well know the danger of generalizing on the basis of conditions found in a single city. There comes to mind, for instance, a city quite as typical as Springfield which sets standards for the country in the scientific assessment and collection of taxes but is veritably a plague spot in the matter of garbage disposal. Why the co-existence of the extremes of progress and retardation? Investigation revealed that the progress in scientific taxation was chiefly attributable to the efforts of a few influential and aggressive officials who had become cranks on that subject, while the problem of garbage disposal had simply been neglected by every one. Certainly this incalculable personal factor would render this particular city a very dubious basis for generalization. And a survey report on this city, typical though it be, would stress the garbage problem far in excess of its relative importance in the majority of American cities and would probably slight the tax problem, and consequently it would be defective as a treatise on the social and political institutions of American cities.

In sum it must be said that a survey report has one purpose and a general reference work another, and the volumes here under review are limited by that fact. Like all survey reports they contain discussions which will be of interest and value beyond the boundaries of Springfield; but they do not and can not constitute a well-balanced and adequate text-book on American cities and their problems.

Chester Collins Maxey,
New York Bureau of Municipal Research.

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Excess Condemnation.—If any additional proof were required as to the need of excess condemnation in street widenings and extensions it is supplied in the excellent report recently published by the Chicago Bureau of Public Efficiency.[1] One diagram after another is presented in this brief showing the narrow, elongated gores left on the widened sides of the Michigan Avenue and 12th Street improvements. The triangular strips which will be left on either side of the proposed Ogden Avenue Extension, unless it is carried out by excess condemnation, are also shown.

It is upon these illustrations exhibiting in the most graphic and striking manner the evils incident to the re-planning of streets where only the minimum land necessary for the street itself is taken by the city that the bureau builds its case for a constitutional amendment giving the cities of Illinois the power of excess condemnation. And the illustrations used are the best possible argument for excess condemnation. Indeed, if streets could be widened or extended in sections already subdivided without destroying the usefulness of adjoining land, there would be little if any justification for the taking of more land than is actually required for the improvement.

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[1] Excess Condemnation. Why the City cf Chicago should have the power, in making public improvements, to take property in excess of actual requirements. Report prepared by the Chicago Bureau of Public Efficiency, September, 1918. 58 pp.

Every time a new street is projected or an old one widened in the platted parts of our cities the lots through which the street is cut are necessarily destroyed, the extent of the destruction being conditioned partly by the size of the lots and partly by the orientation of the lots with reference to the improvement. Few dream how much of the new frontage is rendered useless until it is consolidated with rear land. Approximately one-fifth of the three thousand linear feet of property fronting on the widened portion of Michigan Avenue will have a depth varying between seven and fourteen feet! The extension to Ogden Avenue, if carried out as proposed, would leave ninety-three remnants, with a total frontage of thirty-three hundred feet, too small or too irregular in shape to be available for building. It is figures like these which convince one that such excess takings of land as are necessary to obtain an economic re-plotting of the new frontage constitute good business practice even though they may sometimes have to be executed at a financial loss to the municipality.

The primary object of a street improvement is not to make it absolutely impossible to use the adjoining property—as one might mistakenly suppose upon viewing the extension of Seventh Avenue, New York, Fairmount Parkway, Philadelphia or Twelfth Street, Chicago,—but to facilitate the movement of city traffic by providing new or wider thoroughfares. Were we of a cynical disposition we might ask whether it were not better that the erstwhile village streets should choke with metropolitan traffic than that the appearance of the city should be forever marred and ruined as a result of improvements executed without regard to the replottage of contiguous and neighboring land.

This pamphlet is the bureau's first essay on city planning. As such it is most welcome and may we have more of them.

Herbert S. Swan,
Secretary, Zoning Committee.
New York City.

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A Review on the Report of the New York Police Department (First half 1918).—Brevity in a departmental report is a virtue only when the value of the report is not destroyed by too summary a document. The brevity of the semi-annual report of the New York Police Department for the first half of 1918 is not a virtue.

The report under discussion gives a sketch of six, or to be more exact, of practically five busy months occupied with reorganizing the department on the basis of a curtailed force due to the government draft. Throughout the report, however, there is evidence of a tendency almost verging on eagerness to point out the greater efficiency and economy of the department during the first half of 1918 over the same period of 1917. In view of the fact that there was a change in administration, a full recital of facts, with the conclusions self-evident, would have made the report more valuable as a public document.

The one outstanding feature impressing itself upon the reader of the report is the economies of $777,158.23 effected during the period of six months. This covers among other items a reduction of 926 men, 683 of whom were drafted by the government and whose places were not filled by the Police Commissioner although he had authority to do so. The questions naturally arise as to whether the commission and detection of crime had increased or decreased because of this shortage of men; how the additional police problems facing New York City because of the war were met.

If we turn to the crime statistics we find them too meager to offer any answer one way or another. A comparison of arrests by the detective bureau for felonies for the first six months of 1918 and for the same period in 1917 shows a decrease for the former period except in three classes of felonies; but there are no figures showing whether the commission of crime had increased or decreased. Furthermore a two-year comparison in crime furnished insufficient data for a conclusion. Footnotes on page 13 of the report do show the number of cases of loft and store burglary, assaults and robbery, larcenies and attempted and miscellaneous felonies reported in January and in June of 1918, showing a reduction in the latter month, but it is not shown over a period of years whether or not a reduction of those crimes in the early summer is normal. Neither is the question raised as to the effects of drafting into the army of thousands of young men.

As to the manner of carrying additional burdens with a reduced force, we find no data showing the organization and distribution of the force. Nor is it clear that the administration desires a reduced force or would voluntarily maintain it at its curtailed strength.

In comparing the sick days of the force for the two half years of 1917 and 1918 the report shows 9,844 less sick days for 1918 or a saving of 16 per cent in sick days. But no consideration is taken of the 926 fewer men on the force in the first half of 1918. In other words the sick days per man should be used if a real basis for comparison is desired.

These instances are extracted from among many not to question the efficiency of the New York Police Department, but merely to emphasize the fact that if the public is to take an intelligent part in government it must have complete and comprehensive statements from governmental departments. Possibly because it is only a mid-year report much information that would ordinarily be included in a departmental report was omitted. Even though brief the report does not leave a particularly clear conception, because of its poor organization and sequence of topics.

In short, the report does not give the public all the information it ought to have nor is the information given presented in such a manner as to help the public decide how efficient its police department is. This report does portray, clearly, the manner in which our public affairs are administered, the "on again, off again, gone again, Finnegan," methods of ever changing departmental administrations, with existing policies and methods being discarded before given a reasonable chance of proving themselves.

Arch M. Mandel.

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Rainbow Promises in Education.—Some months ago I came across a pamphlet entitled "Rainbow Promises in Education," published by the Institute for Public Service (51 Chambers Street, New York City) of which Dr. William H. Allen is director. Its purpose is to attack the assumption of the General Education Board that public schools are bad and can be reformed through an experimental school which it was about to set up in New York in connection with Columbia University. I had become somewhat accustomed to such assumptions on the part of foundations, and viewed them as evidence of naïve conceit and more or less conscious bravado which please the foundations and do little harm. Recently I have again gone through the pages of "Rainbow Promises of Education" and have meditated on the wisdom exhibited therein. The war has diverted us from problems which were at the fore when it was written and has stimulated us to solve new and greater ones.

It is interesting to note how little has been accomplished by the experimental school referred to in aid of reconstruction. As pointed out by Dr. Allen, the public schools have not waited and will not wait for this or that foundation to shape their courses of instruction or to direct their methods. The pamphlet referred to gives abundant evidence that alert minds in every corner of our country are overhauling public school systems and rejecting outworn material and methods. More than this, the pamphlet is a call for schoolmen to appreciate the importance and dignity of their work. It is a genuine pedagogical treatise. There is no need for the public to wait until some privately endowed "experimental school" shows the way.

The path to progress is being opened up by the workers in the public school themselves. In fact any alleged demonstration made in the type of school established by the General Education Board is open to suspicion. Only in institutions in which a normal clientele is found and in which a publicly selected force controls can we hope for progress. One of the essential elements in experimentation is reasonable normality of conditions.

Albert W. Rankin,
University of Minnesota.

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Street Cleaning in the City of Rochester.—An excellent example of the manner in which a Bureau of Municipal Research can justify its existence is the Report on the Problem of Street Cleaning in the City of Rochester, N. Y., recently published by the Bureau of Municipal Research of that city. This little volume of 135 pages is the second of three reports on the sanitary services of the Department of Public Works, the result of more than a year of study. The Rochester bureau is strongly manned as regards engineering, so that any technical study produced by it is sure to be of merit.

The street-cleaning problem is approached as almost entirely one of methods and equipment. The increasing use of hard-surfaced pavements in recent years has revolutionized the problem of street cleaning, by rendering street dirt more objectionable and by rendering easy its removal by mechanical equipment. With the tendency of many city officials to let well-enough alone, it is a fortunate city which can have the whole field of modern street-cleaning experience surveyed for it, and the conclusions applied in detail to its own peculiar problems. Rochester is such a fortunate city.

The report is based on field observations, performance tests of equipment, and study of the records of the Department of Public Works. It is divided into two parts, one dealing with the organization and control of force, covering the sub-topics of finance, organization and distribution of force, distribution of the work, proposed bureau of sanitation, and records; the other, dealing with methods and equipment, contains the sub-topics of hand sweeping, street flushing, machine flushing, wagon flushing, hose flushing, street sprinkling, machine sweeping, squeegees and vacuum cleaners, and special street problems.

The report is attractive and readable, and is amply supplied with maps, charts, tables and photographs. It makes a real contribution to the literature in this field.

Sedley H. Phinney.
Philadelphia.

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Financial Standing of Portland, Oregon.—For many years the federal census bureau has published a volume of financial statistics of cities, giving detailed information in regard to revenues and expenses of cities of over 30,000 population. Although these data have been analyzed and tabulated in such a way as to make it possible to compare the achievements of one city with another, very little use has been made of the data by the municipalities reported upon. It is of interest, therefore, to note a study of Portland, Oregon, based on these census figures, which was published in the *Oregon Voter* of November 16, 1918. The writer has compiled from the census report for 1917 and illustrated graphically the figures for the principal sources of revenue and expenditure and the indebtedness of thirty of the largest cities, calling special attention to Portland's rank in each table. With few slight exceptions the figures have been reproduced without error. In their interpretation, however, it is apparent that certain important considerations have been overlooked. Special attention is called, for instance, to the fact that Portland's $15.69 per capita revenue from the property tax was the third lowest among the thirty largest cities. Nothing is said, however, about its revenue from special assessments which was $7.55 per capita, or next to the highest in the list and more than three times the average. Portland gets 24.5 per cent of its revenue from special assessments and special charges for outlays which is the largest per cent for any city in the United States above 30,000 population, except Wichita, Kansas. Portland has also been borrowing heavily so that she stands near the top in per capita interest payments. These financial statistics of cities are published with commendable promptness and should be used more generally by the municipalities to learn how they stand in comparison with others of their class. Great care must be exercised, however, to insure that the items compared are in actual fact strictly comparable.

C. C. WILLIAMSON.

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State Boards of Control.—Texas is in need of a central authority for the supervision of charitable and correctional institutions. A citizen's commission on charities and corrective legislation appointed by Governor Hobby, with Elmer Scott of Dallas as secretary, presents in this report[1] a summary of legislation in various states affecting charitable and correctional institutions. The study is confined mainly to twenty-six states possessing some form of centralized authority, though some attention is given to states with two or more boards whose functions are both administrative and supervisory. Eight states have no general board. Some thirteen other states are not considered because they add nothing new, or for other reasons. The states are separated into three classes: (1) states whose boards are purely supervisory, with stipulated powers of investigation and advice; (2) states whose boards are administrative; and (3) states with two or more boards whose functions are both administrative and supervisory. The body of the study takes up such questions as appointment of state board, members, maintenance cost, authority and powers, institutions, etc.

The method of presentation though perhaps a bit overtechnical is nevertheless accurate and convenient for reference purposes. Social and civic workers generally will find the study valuable as a handbook of information regarding the social legislation of the different states. The report also contains a summary of a questionnaire to prominent men and women which furnishes an interesting appraisal of the value of various forms of centralized control of supervision.

DORSEY W. HYDE, JR.

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Causes of Dependency.—The New York State Board of Charities, through its Division of Mental Defect and Delinquency, is publishing a series of Eugenics and Social Welfare bulletins. Number 15, recently issued, is a report of 46 pages on an investigation of "The causes of dependency," based on a Survey of Oneida County, which was selected as a representative community. The field work was confined to families of patients in various state institutions coming under the jurisdiction of the State Board of Charities. Out of the voluminous data and painstaking analysis, one practical conclusion arrived at is that "all attempts by philanthropic persons or agencies for the rehabilitation of such social defectives must first discern with scientific exactness their positive defects and then really meet the needs of the specific defects of the sick, defective, dependent, or anti-social citizen either in the mental or physical sphere, or both."

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A Corporation Budget System.—In the management of public business it has become customary to look to private corporations for examples of efficient organization and administration. Little information has been available, however, in regard to the budget practices of large corporations. For this reason an article on the Guaranty Trust Company's budget system, which appears in the December, 1918, issue of the *Guaranty News* (140 Broadway, New York), may interest students of budget reform.

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Municipal Junk Yards and Collection of Waste Paper is the subject of an interesting report prepared by Frederick Rex, librarian of the Chicago Municipal Reference Library for Alderman Kennedy. It outlines the situation in Chicago and shows what has been done in Cleveland, Rochester and British cities. The report contains much valuable information and many useful suggestions.

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[1] Summaries of state laws relating largely to centralized state authority or supervision over public and private benevolent, penal and correctional institutions. Compiled by the Civic Federation of Dallas, Texas. 1918. 75 pp.

◆

Governors' Message.—A comprehensive summary of the subjects treated in the messages of the governors to their respective legislatures convened in January (with the exception of Arizona, Delaware, Nebraska and Oklahoma) is published in the February 15 *Bulletin of the Public Affairs Information Service.* The work is well done and constitutes a most valuable guide to the subjects and suggestions which our American executives are considering.

◆

The Probable Rate of Demobilization was discussed at the Rochester Conference by Professor H. G. Moulton (of the University of Chicago), who has been connected with the War Labor Policies Board. He gave a brief but comprehensive summary of the factors in the situation, basing his remarks on a striking diagram which has since been reproduced by the War Labor Policies Board. Copies of this reproduction can be had by writing to the offices of the Board in Washington.

◆

Dayton Municipal Review is the title of a monthly publication the 1,000 and more employes of the city of Dayton propose issuing to promote efficiency and good-fellowship and to improve their work and obtain better results for their employers—the taxpayers. The first issue, January, 1919, contains only four pages, but they are interesting ones. The city bears the expense of the initial number, though hereafter the publication is expected to be self-supporting. The *Dayton Municipal Review* represents a departure from the ordinary type of municipal publication. Most of them are designed to carry nothing but official news and advertisements and are consequently municipal publications only in the narrow sense of the word. The *Dayton Municipal Review* is the natural outcome of an enthusiasm that prevails among the men and women working for the city and furnishes evidence of an unusual relation between city employes and the community which they serve.

◆

A World Center of Administration.—Under this title Hendrik Christian Andersen has published an illuminating plan for working out a project of an international city or an administrative center for the league of nations. "The architectural plans as well as the legal and economic aspects in detail of this administrative center have been most carefully carried out and as you are familiar with its humanitarian benefits and international scope toward facilitating more fraternal and economic relations, and as this appears to be the psychological moment for presenting the project at the peace conference to the governments and people, explaining the utility of this work upon which seventeen years of concentrated labor have been spent, I earnestly beg you to aid me in asking the sincere support of your government as well as any of your friends who may be connected with the press, who can give a wide and appealing reason for the establishment of the administrative center planned for the league of nations."

Mr. Andersen's plans are being put forth by the World Conscience Society, 3, Piazza del Popolo, Rome, in a large volume de grand luxe and sent to the rulers and parliaments of all nations and will be followed by the economic and legal arguments.

The whole effort represents a very interesting idealistic movement which will appeal to those who are urging a better organization of the world. Should it be possible to establish such a world center it would unquestionably make for greater solidarity for the nations of the world.

◆

Kalamazoo Municipal Bulletin will be published occasionally for free distribution to the citizens of Kalamazoo. It is an attempt to inform the public of how the commission manager form of government is operating in that city, what it has accomplished and what it has under way and what it contains for the future. The first number bears the date of February, 1919.

Encyclopedie Des Villes et de L'Art Civique.—The preliminary pages of this encyclopedia have been issued by the organizing director, Louis Van der Swaelmen, from his offices in Amsterdam, Holland. They represent a very important and interesting contribution to city planning and development which American students will study with profit.

Civic Comment is the title of a striking clipping sheet, now being put out by the American civic association. It deals with sundry important topics including a number that are of urgent importance like *Municipal Work for the Unemployed, Comprehensive Plans for Federal and Municipal, Don't Let the War Gardens Become Peace Deserts, Danger in War Memorials.*

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NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Ohio Constitutional Amendment Declared Invalid.—On January 28 the Ohio supreme court declared that the amendment to the state constitution providing for the classification of property adopted at the November, 1918, election[1] was invalid. In reaching this decision the court denied the application of former lieutenant governor, William A. Greenlund, of Cleveland, and others, for a writ of mandamus to compel the secretary of state to publish the classification amendment as having been adopted. This decision halts the attempt of Ohio to abolish the uniform tax clause of its constitution. At the election of November, 1918, two tax amendments were submitted, one the classification amendment and the other an amendment exempting mortgages from taxation. By some curious prank of the electorate the amendment exempting mortgages received a larger vote than the classification amendment. It is upon this technicality that the court made its decision. Since there appeared a certain conflict as between the two amendments, the court felt it safe to declare the one receiving the smaller majority invalid.

Three of the seven members of the court dissented from the prevailing opinion. Judge Donahue, in writing the dissenting opinion, declared that there was no conflict between the mortgage exemption and the classification amendment. "The people write our constitutions. The electorate evidently saw no conflict, but, with full knowledge of the purpose and intent of each amendment, approved both by a majority vote, and the will of the people, as expressed through the ballot box, is indubitably the best authority known in a republican form of government, an authority to which governors, legislatures and courts must inevitably yield.

At the present time the associations that have for years backed the classification amendment are endeavoring to obtain a re-hearing by the court. Failing this, the legislature will probably propose that the classification amendment be re-submitted at the fall election of 1919.

Another correspondent writes that the Ohio taxpayers' league with headquarters in Columbus is collecting information as to the financial needs of the various taxing districts in the state and have been compiling certain data as to the taxable intangible personal property in the state. This information is for the use of the general assembly. Arguments are also being presented now by various civic organizations and representatives showing the necessity for increasing the tax revenue, but the only definite suggestion which has come as to how these revenues could be increased has been the suggested inheritance tax law and a lifting of the limitation of the tax rate.[1]

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Amendments to the New York Constitution.—The voters at the election on November 5, 1918, approved three constitutional amendments. The first relates to the contracting of state debts and restricts the period to the probable life of the work. It also authorizes the issuance of bonds to be paid in annual installments by direct tax or legislative appropriation. The second permits the construction of a state highway in the Adirondacks. The third is of local interest to the residents of Utica and pertains to a section of the Erie Canal in that city. A bond proposition for the construction of state and county highways, etc., was carried by a vote of 766,823 to 266,822.

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City Manager Notes.—The first issue of the *City Manager Bulletin*, dated January 1919, was issued during the month of

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[1] See NATIONAL MUNICIPAL REVIEW, vol. vii, p. 94.

[1] See Dr. Sowers article in NATIONAL MUNICIPAL REVIEW, vol. vii, p. 371.

February under the editorship of Harrison Gray Otis, the secretary of the city managers' association and now in charge of the city managers' service bureau, Tribune Building, New York. It consists of seven mimeographed pages giving the latest news concerning the new bureau, legislation relating to the city manager plan, the fifth year book of the association, memorial and liberty buildings, associate membership and a series of personal items. "A question box" is an interesting feature. Under the head of "news" are noted various important campaigns and undertakings by city managers or cities under the city manager form of government. Four resignations are reported: G. A. Abbott, Birmingham, Mich.; E. P. Law, Brownswood, Texas; Harrison Gray Otis, Auburn, Me.; H. J. McKee, Owosso, Mich.

The *city management form of government is under consideration* in the following named cities: Brunswick, Ga., New Haven and West Hartford, Conn.; Daytona, Fla.; Chicago, Moline, East Moline and Rock Island (last three combined), Ill.; Shreveport, La.; Ames, Burlington, Davenport, Newton and Sioux City, Iowa; Portland and Waterville, Me.; Lawrence, Marblehead, Mansfield, Middleboro, Wellesley and Whitman, Mass.; Boyne City and Flint, Mich.; St. Paul, Minn.; Manchester, N. H.; Englewood, N. J.; Batavia, Corning, East Aurora, Glen Falls, Gloversville, Lockport (again), Suffern, Tarrytown and North Tarrytown (combined), Tonawanda and North Tonawanda (combined) and Troy, N. Y.; Greensboro, N. C.; Painesville, Ohio; Ardmore, Bristow, Enid, Jenks, Muskogee, Norman, Oklahoma City, Okmulgee, Pawnee, Shawnee, Snyder, Tulsa and Waurika, Okla.; Conway, S. C.; Memphis, Tenn.; Austin, Beaumont and Whiteright, Texas; Alexandria, Bristol and Suffolk, Va.; Oshkosh, Wis.; Aberdeen and Wenatchee, Washington.

Measures permitting the adoption of the city manager plan are under consideration in Indiana, Maine, Wisconsin and Tennessee legislatures.

Arthur M. Field, formerly city manager at Winchester, having returned from military service, is now serving as secretary of the Winchester chamber of commerce.

Grove City Borough, Pa., has discontinued its experiments with "near-manager" plans. An ordinance creating the position of "managing engineer" was passed May 1, 1914, and John K. Ekey served two years, being succeeded by H. B. McCune. About a year ago advice came that the position of "city superintendent" had superseded that of "managing engineer" and Edward Thomas had been appointed. Now Mr. Thomas has resigned and the borough has returned to the old-fashioned plan. *Fredericksburg, Va.*, has appointed Levin J. Houston, Jr., of Baltimore, Md., as city manager at $3,600, to succeed R. Stuart Royer, now in the army. Some *salary increases* have been reported. H. H. Sherer of Glencoe, Ill., started at $2,400, was raised to $2,500, and now receives $4,000. C. M. Osborn, East Cleveland, Ohio, receives an increase of $1,000 this year, making his salary $4,600. Harry H. Freeman was chosen manager of Kalamazoo, Mich., last summer, by a vote of 4 to 3, salary $4,200; by a vote of 6 to 1 his salary has been made $5,000 for the coming year.

◆

A Joint City Manager.—Rock Island, Moline and East Moline are closely contiguous and really constitute a single industrial community that should have been merged into a single political unit many years ago, but Rock Island and Moline are unwilling to give up their names and East Moline is unwilling to merge under a commission or aldermanic form of government. Two bills have been drafted —one providing for a merger on a borough plan so that the cities will be known as boroughs instead of cities—the other providing for the managerial form of government. The legislature enacted the former bill into a law, but for two sessions has refused to pass the managerial bill which provides for a commission of four men from each borough to be voted on at large, this commission to have only legislative functions, except that it will select the attorney the auditor and the manager. It provides that the auditor shall keep up a continuous audit reporting from the departments daily to the manager, the latter to have entire administrative control of the city employes—the heads of the departments, who in turn will employ all operatives within their department.

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The city managers of Michigan have arranged to come together from time to time for a discussion of their coming needs. No formal organization has been established, merely a series of conferences, so the managers may get better acquainted and be of help to each other in raising the standards of administration in their respective communities. Among the subjects discussed at a recent conference were "fire apparatus, street cleaning methods, proposed constitutional amendment for more home rule relative to municipal control of public utilities, milk distribution, gas rates, street car fares."

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Promoting of the City Manager Plan.—The constantly growing interest in the city manager plan of government has created a demand for professional aid in charter drafting, publicity methods and the conduct of nonpartisan campaigns. To solve the problem Harrison Gray Otis, recently re-elected secretary of the city managers' association, has resigned his position as city manager of Auburn, Me., and has been retained by the American city bureau of New York, which is already in the field of organization service. Lucius E. Wilson, who conducted the campaign for the introduction of the city manager plan into Dayton, Ohio, is at the head of the bureau's field staff. Prof. A. R. Hatton, of Western Reserve University, Cleveland, Ohio, the field secretary of the short ballot organization and a member of the council of the National Municipal League have likewise been retained (for part time) by the bureau. These three men will constitute a working nucleus to assist, together with a large staff of the bureau's men, as occasion requires. The furnishing of public speakers, of charter drafters and publicity men in the actual conduct of campaigns are among the first steps. A clearing house for city managers will be undertaken in an effort to help cities obtain executives. The city managers' association will remain unchanged as to purpose and organization. It will continue to publish its year book and association bulletin. Mr. Otis expects to serve the remainder of his term as executive secretary and has moved the offices of the city managers' association to the Tribune Building, New York.

✤

London Police Strike.—The members of the metropolitan police force, variously estimated at 11,000 to 12,000 men, on August 29, 1918, left duty, and on the following day the other branches of the national union of police and prison officers joined them. They were supported in this action by organized labor.

The men demanded: (a) That the war bonus of 12s. ($2.92) weekly be immediately increased to £1 ($4.87) per week to all ranks of the London force, and to be forthwith converted into permanent wages. Further, that a war bonus, calculated on a basis of 12½ per cent on all wages and allowances, be granted in addition (b) That ex-police constable Thiel, provincial organizer of the national union, and delegate to the London trades council, who was dismissed from the London force for "grave breach of discipline in taking part in the management and being a member of an unauthorized association, be immediately reinstated without loss of pay or service; (c) Complete "official" recognition of the national union.

Negotiations were at once opened between the men, the prime minister, and the home office which, on August 31, 1918, resulted in the following concessions:

Wages increase of 13s. ($3.16) per week, pensionable war bonus 12s. ($2.92) per week, and allowances for each child of 2s. 6d. (61 cents) per week to remain; noncontributory pension of 10s. ($2.43) per week for policemen's widows, widow's pension payable in case of service men at the front. The result is minimum wages pensionable £2 3s. ($10.46) per week, war bonus 12s. ($2.92), making a total minimum of £2 15s. ($13.38) with children's allowance in addition.

The prime minister refused to recognize a police union in war time, citing as his reason the conditions which had arisen in Russia from the existence of a union or a committee among the soldiers. As the police are a semimilitary force, he felt that the same conditions applied to them as to the soldiers. He favored, however, some organization by which members of the police force could bring their grievances before the proper authorities, and promised that means for presenting communications of this kind would be discussed with the men at an early date. Thiel, was reinstated.

Dorsey W. Hyde, Jr.

✦

An Enlarged Council for Columbus Ohio has been suggested by the labor element in that city. The organized labor is much dissatisfied with the way the council has handled the street car situation and as a remedy suggested a return to the old ward system of sixteen members. Those who favored the present small council elected at large have suggested a system of proportional representation, which the labor people seem now to favor. Local correspondents advise us that the plan for a larger council will not succeed and may not even be the basis for a petition as the reasons for the change are now being removed. For the same reason the suggestion with regard to proportional representation may not be inaugurated.

✦

The Enlargement of Boston's Boundaries.—Mayor Andrew J. Peters of Boston wants to see a bigger Boston and accordingly he has had introduced into the Massachusetts state legislature a bill providing for the annexation of Winthrop, Revere, Chelsey, Everett, Sommerville, Cambridge, Watertown, Newton, Brookline and Milton "and such others as may be deemed advisable." In public statements he declares he was not entirely committed to all of the provisions of his measure, as he was not certain that it might not be wiser to provide for some sort of federation. The bill does not contain a provision for a referendum of the questions of the voters of the city and town affected.

Municipalizing Seattle's Street Railways.—The present status of the street railway situation is this. The ordinances providing for the purchase of the system for $15,000,000 in public utility bonds have been passed. A friendly suit to test the validity of the arrangement has been instituted and has already been heard in the superior court, where the bonds have been declared legal and valid. The matter is now on appeal to the supreme court. The traction company has guaranteed to turn over the property within forty-five days after the decision of the supreme court is handed down sustaining the bonds.

There are several points made against the validity of the bonds, but the main one is based upon the provision that they are first lien upon the earnings of the lines. This provision, it is contended, is very likely to impose a burden upon the general fund, and this, it is asserted, cannot be done legally. It seems to me that the contention that the provision is likely to impose a burden upon the general fund which must be met by taxation is unquestionably correct, but I do not believe there is any serious legal objection to any burden upon the general fund, if the city council sees fit to impose it. Of course, the road might find itself in difficulty if the council at any time refused to take care of the deficits.

The service now given by the traction company is extremely poor, and there is, of course, no chance of any improvement prior to the acquisition of the lines by the city. The company is quite pleased with the sale. Its franchises expire in 1934 and the continued hostility of the council for the past ten years has shown clearly that the franchises are unlikely to be renewed upon their expiration on any terms satisfactory to the company. The early expiration of the franchises also made it impossible for the company to raise any money by way of loan, and it was, therefore, impossible for it to make the demanded extensions and betterments, nor was the company able to secure permission to raise its rates. There was a legal difficulty to any such raise, which was insurmountable, except by absolute disregard of law, for a state statute prohibited any fare in excess of five cents. It is said that this prohibition does not apply to municipalities and that the city may raise the rates.[1]

We have just learned that the Washington Supreme Court has upheld the legality of Seattle's proposal to buy out the street railway system of Puget sound traction company for $15,000,000 in utility bonds. In anticipation of this favorable decision of the case both the city and county have gone ahead with the details and it is expected the property will be delivered to the city about April 1.

FRED W. CATLETT.

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The Movement for Co-operative Delivery of Milk.—There are some 500 cities in America which have adopted a co-operative plan for the delivery of such necessary commodities as groceries, meats, and the like. The experience of these cities show undoubted economies in service and expense. A survey conducted recently revealed reductions in the number of wagons used from 76 to 18; from 30 to 10; from 15 to 4, etc. Delivery cost reductions reported vary from 50 to 10 per cent.

The success and widespread adoption of the above plan for groceries and meats has aroused general interest in the co-operative plan as a possible solution of the milk problem. In New York city, for example, it has been increasingly apparent for several years past that the solution of the milk problem depends to a large extent upon the adoption of a more efficient method of distribution. This fact was understood by the mayor's milk committee of 1917, which reported that "if the total volume of retail milk, amounting to 704,318 quarts, were carried on wagons handling only full loads, the bottled milk of New York city could be handled by only 2,243 wagons instead of the 4,978 actually in use at the present time. This would mean a saving of 54.7 per cent of the total." More recently Chief Magistrate McAdoo, at the "John Doe" milk inquiry, suggested the building of four or five municipal pasteurization plants as substitutes for the 400 or 500 smaller ones now scattered throughout the district from which New York obtains its supply.

Many other cities both in this country and abroad have studied the problem of milk deliveries and have advocated measures along this line. Perhaps the most extensive survey was that made in Rochester, N. Y., a number of years ago, when it was reported that under a model system numerous reductions could be effected, as follows: from 356 men to 90 men; from 380 horses to 80 horses; from 305 wagons to 25 wagons; daily distribution cost from $2,000 to $600; yearly distribution cost from $720,000 to $220,000.

From an interesting report issued a few years ago in Chicago we learn that by the merging of two milk concerns on private initiative, 18 wagons and their drivers were found to be no longer necessary. The same report estimated that a saving of $20,000 a day could be effected to the consumer if the various milk delivery systems could be consolidated and unified.

A recent issue of *Commerce Reports* informs us that "owing to the difficulty experienced in procuring sufficient quantities of pure milk at Wellington (New Zealand) at what was considered a reasonable price, measures have been taken by the council of that city with a view to handling the milk question as a municipal undertaking." In Turin, Italy, before the war, there was an agreement among the dairymen immediately surrounding the city by which the city was divided into sections and each group of dairymen assigned to a section. The milk was collected by motor trucks and carried to distribution stations where it was bottled and then delivered to consumers by women and boys at a price of four cents per quart. A co-operative pasteurizing plant was organized by seven dairymen at Riverside, Cal., and the milk was delivered to the consumer in three wagons as compared with about twelve wagons previously required. A considerable reduction in the retail price of milk was effected. A similar company is reported to have been formed at Utica, N. Y.

Several Canadian cities have given considerable attention to the milk problem among which are Toronto, Regina and

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[1] See NATIONAL MUNICIPAL REVIEW, vol. xiv, p. 642.

Winnipeg. Conditions in the last-mentioned city were recently reported as having become so acute that the mayor-elect and a majority of the new council has expressed its determination to establish, early in the new year, a municipal plant to provide milk for Winnipeg and the adjacent suburbs.

Perhaps the most extensive plan yet devised in this country was that drawn up for San Francisco, under which each delivery wagon would serve a certain district, thus avoiding long trips and the covering of ground served by other distributors. It was hoped that the price of milk could be kept down to 12 cents a quart. Milk companies distributing 25,000 gallons per day—out of a total of 30,000 distributed by milk companies—were said to have agreed to the plan, which had been worked out by a milk commission appointed by the federal food commissioner.

The San Francisco plan for milk delivery, however, was never put into effect "because it developed that the cost of making the change would be too great a burden to be charged against any single year's operations," and for this reason it was felt that the plan "could not be considered strictly a war measure." S. H. Greene, chairman of the division of dairy products of the United States Food Administration for California, furnishes the following additional details: "The plan provided for the closing of some pasteurizing plants and the establishment of some others in favorable locations in the city. The city was to be districted in zones, and each zone was to be served by two distributors and no more. One result of the many conferences that were held during the consideration of the plan has been a voluntary movement on the part of the distributors to exchange certain routes with each other, therefore shortening hauls and sending out full loads, with the consequent reduction in the cost of delivery." DORSEY W. HYDE, JR.

✱

School Board Situation in Chicago.—For sixteen months (June 18, 1917, to October 26, 1918) two groups of citizens, each asserting their right to be the board of education of Chicago, endeavored to determine the issue between them in the courts. Under the school law of 1909, 21 trustees constituted the membership of the Chicago board of education. By the amended school law, approved and in effect on April 20, 1917, the membership of the board was reduced to eleven trustees. For convenience hereafter the first will be spoken of as the "old," and the second as the "new" board of education.

On April 23, 1917, Mayor Thompson appointed two of the required eleven members. These were confirmed by the council and were duly qualified as school trustees. On June 18, the mayor submitted the remaining nine nominations to the council. These also were promptly confirmed by that body. And as usual in such matters, a motion to reconsider the vote of confirmation was made; but in this instance the motion to reconsider was tabled.

During the interim, to June 18, 1917, the old board continued in office, and exercised the powers, duties and prerogatives conferred upon the board of education by its terms. In so doing the old board (1) adopted revised rules and regulations, (2) elected a president and a vice-president, (3) elected a secretary of the board, (4) elected for a term of four years a superintendent of schools, a business-manager, and an attorney, and (5) appointed standing committees.

Then on the morning of June 19, 1917, several members of the new board (representing the majority who were city hall partisans) appeared at board headquarters with a large force of police. Acting under their direction the police cleared the office of the president, the offices of the business-manager and the attorney, the room in which the board conducts its meetings, and held them against the elected officers and executives of the old board. Later in the day the new board held its first meeting, organized on its own account, and elected an entirely new set of board officers and executives.

Three days later, June 22, the city council met again. A motion to take from the table the motion to reconsider the vote of confirmation was made by the opposition. There followed a noisy controversy between the administration forces and the opposition. At length, however, necessary parliamentary steps were taken which led up to a reconsideration of the vote to confirm. On the question being put, the council in overwhelming numbers voted not to confirm the mayor's nine nominations. Notwithstanding this action of the council the new board continued to act as the board of education for the following sixteen months.

Four questions were promptly carried to the courts by the old board and its officers for adjudication. These were: (1) Whether the new board should reinstate the attorney, and (2) the business-manager, and (3) the secretary of the board, all of whom had been duly elected by the old board; (4) had the city council the legal right to reconsider on June 22 its vote to June 18 confirming the nine nominations to board membership?

The recent decision of the supreme court on the fourth question was not only conclusive on the immediate point at issue, but rendered futile any further consideration of the other three questions. In effect this decision determined that:

1. The city council had the legal power to reconsider its vote of June 18, 1917, confirming the mayor's nine nominations.

2. By its action of June 22, 1917, the city council rescinded its vote of confirmation. Therefor the roster of the new board was never completed, and so the action of the group of citizens who on June 18 assumed the functions of the board of education was illegal.

3. Until eleven members are all appointed, confirmed, and duly qualified, the old board is to resume its office, and it is its duty to exercise all the powers, duties, and prerogatives conferred by the amended act upon the board of education.

Before the decision of the supreme court could be put into effect through an order from the lower courts, the business-manager, the attorney, and the secretary of the new board resigned their offices; and on October 26, 1918, the new board itself vacated the premises of the board of education and the old board, with its officers and executives, returned to take up their duties where they had been compelled to drop them sixteen months earlier. The old board will continue to exercise those duties until a mayor and a city council can agree upon nine trustees to complete the new roster of the board of education.

Glen Edwards.

✤

The Federal Government and Housing.—A well-attended informal conference was held in the Philadelphia city club, January 3, to discuss the possible creation of a federal agency to deal, in whole or in part, with industrial housing, town planning, municipal affairs. The call was signed by Lawson Purdy, Esq., president of the National Municipal League, J. Horace McFarland, president of the American Civic Association, Frederick Law Olmsted, president of the City Planning Institute, Robert W. DeForest, president of the National Housing Association and Samuel Gompers, president of the American Federation of Labor. There were 50 persons present and three sessions were held in which the debate was open, animated and instructive. The sense of the majority of those present was expressed by the secretary, Andrew Wright Crawford, as follows:

A. Some kind of a federal agency to deal with housing, town planning or community planning should be established.

B. Such a federal agency should deal with housing and community planning, in the broad sense of dealing with the entire physical environment of the inhabitants.

C. The proposed federal agency be limited to the function of research, experimentation and dissemination of information, acting as a central agency for the service of state authorities and local committees.

D. It is more expedient that the proposed new agency, without consolidation, should act as a means of making more available, from the point of view of the community as a social unit, such technical resources as can be supplied by existing independent federal agencies (in which other points of view may be dominant) and should undertake within its own organization direct technical investigation only in such parts of its field as are beyond the scope of existing governmental agencies.

It was also the sense of the majority of those present that federal action should be taken toward creating a comprehensive and systematic mechanism to facilitate the financing of housing.

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Recent Regulation of Outdoor Advertising in New York City.—New York city has found a new solution of the outdoor advertising problem. The objections to the billboard and similar advertising signs are many; often they are flimsily built and likely to fall; inflammable, and a fire menace; so designed as to serve as a screen for lawlessness and filth. These and similar defects may be prevented by proper regulations, which our courts will sustain; and such regulations New York city, like other cities, has at various times enacted and enforced. Often, however, billboards and similar advertising devices are also ugly, and so placed as to be especially offensive for that reason. Residential neighborhoods, parks, boulevards, and scenic avenues in New York and all American cities suffer in this way. This constitutes the real billboard and advertising sign problem; for under our constitutions regulations to prevent the erection and maintenance on privately owned land of ugly structures visible from public places are invalid. The great European countries,—England, France, Italy,—all, to a greater or less extent, curb this evil; and Massachusetts, in a constitutional amendment passed last fall, authorizes a like procedure; but so far none of the other states in this country has done so.

New York city, unable to suppress the billboard because it is ugly, has begun to do so, in certain localities, because it is out of place. For this purpose it makes use of the building zone regulation, which went into effect July 25, 1916. That regulation divides the city into residence, business and unrestricted building districts, and provides that "in a residence district," no building shall be erected other than a building, with its usual accessories, arranged, intended or designed exclusively for "a dwelling or such public purposes as clubs, churches, etc." "The term accessory use shall not include a business nor shall it include any building or use not located on the same lot with the building or use to which it is accessory." In a previous section the word "building" is stated to include the word "structure."

Evidently a billboard is not a residential structure or accessory to such a structure. There is in the city a committee of citizens called the "zoning committee," formed to protect the zoning resolution. Last fall that committee began to call the attention of the authorities to this infringement of the resolution. Already thirteen billboards erected on our beautiful Riverside Drive have lost their permits, and apparently the same fate is in store for many more such structures in residential districts in all parts of the city.

All novelty is relative. New York was the first city to employ its building zone regulation for the removal of billboards in residential neighborhoods; but other cities have restricted billboards so located by other means.

In 1910 Chicago passed an ordinance making it unlawful "to erect or construct any billboard or sign board in any block on any public street in which one-half of the buildings on both sides of the street are used exclusively for residential purposes, without first obtaining the consent in writing of the owners or duly authorized agents of such owners owning a majority of the frontage of the property on both sides of the street in the block in which such billboard or sign board is to be erected, constructed or located." This ordinance was sustained in 1915 by the Illinois supreme court, and in 1917 by the United States supreme court.[1]

In June, 1917, Los Angeles passed an ordinance[2] dividing the city into business, semi-business, suburban and residential advertising districts. In a semi-business district such structures shall not be nearer the sidewalk than the house in that block is that is nearest the walk; in a residence district no billboard or similar structure shall have an area of over twelve square feet, or be within fifteen feet of another billboard; in a suburban district no billboard over twelve feet in area shall be located within fifty feet of a residence. Many of the provisions of this ordinance, unlike those of the Chicago and New York regulations, are retroactive. The Los Angeles billboard ordinance is entirely independent and distinct from its building zone ordinances.

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[1] *Thomas Cusack Co.* v. *The City of Chicago,* 267 Ill. 344; affirmed 242 U. S. 526.

[2] Since amended in detail. Ordinance No. 38,315, passed June 25, 1918, incorporating these amendments to that date is here referred to.

In cities with building zone regulations, the New York city method of attacking the billboard nuisance in residential neighborhoods seems simpler and therefore better than that of Los Angeles or Chicago. The sum total of building regulations in modern cities is most voluminous and complex and there seems to be no reason to add needlessly to this complexity by creating separate districts with separate rules and regulations for any one class of structure, like billboards.

Frank Backus Williams.[1]

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City Planning in St. Louis.—During the war a question was raised in St. Louis as to the practicability of continuing the city plan commission. This sentiment found expression in the board of aldermen, which, however, seems to have seen a new light and has passed the following resolutions. We do not often quote resolutions in these pages, but these are reprinted because they indicate how the logic of a situation will penetrate even a board of aldermen:

> *Resolved*, by this board, That we highly commend the spirit of the city plan commission and recommend that every citizen of St. Louis read the recent issue from the commission office of the book entitled *St. Louis After the War*, and that this board extend its thanks to Winston Churchill for retaining such enduring interest in the city of St. Louis.

The reference to Mr. Churchill brings to mind the splendid foreword he prepared for the pamphlet *St. Louis After the War*, which has strong arguments for a preparation of plans for the guidance of the city at the present time.

◆

Women in Municipal Research.—From its inception, ten years ago, the Philadelphia bureau of municipal research has always afforded opportunities to women for work on its professional staff. A number of these women have filled important positions not only within the bureau organization, but have made careers in public service outside as well.

The other governmental research agencies have had varying policies in this respect. Some have given women equal opportunities with men, while others have felt that women are still sufficiently discriminated against in our public services, so as to handicap them in this field. For that reason, a number of the bureaus employ women only in clerical capacities.

The Philadelphia bureau has probably had one of the most interesting groups of women staff-members and was peculiarly fortunate in the individuals it secured. Dr. Neva R. Deardorff, an alumna of Michigan, for three years assistant director not only participated in a number of important studies and led many others, but also handled a large part of the publicity and educational work. Her record as chief of the division of vital statistics in the bureau of health set a new standard in Philadelphia, and won for Dr. Deardorff a national reputation. At this writing she is on leave, serving as an assistant to the director-general of civilian relief of the American Red Cross.

Miss Olive R. Haldeman joined the bureau staff in 1913 upon her graduation from the University of Pennsylvania, and for five years was busy mainly on budget work and health studies. In the latter activity she was the author of several careful reports, notably one on the food inspection services and another on the division of housing and sanitation in Philadelphia. As Mrs. Ralph E. Young, this young woman has moved away from Philadelphia, but she continues a live interest in civic matters and will doubtless be a force for social progress in her new home.

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[1] Treasurer of the municipal art society of New York city and chairman of its committee on outdoor advertising.

Another woman whose work deserves special mention is Miss Maude E. Stearns, a Wellesley graduate, who left the bureau staff after a period of training to become statistician of the municipal court of Philadelphia. Later Miss Stearns went to Washington to do statistical work in the war department.

The general information service and the library of the bureau—two of its very important activities—have for several years been in charge of Miss Ethel Vernon, a Cornell alumna, who has put these functions on a plane not excelled in any similar agency in this country.

A number of other young women have served as investigators, accountants and statisticians on the staff of the bureau, and all have either continued on the staff or have entered other fields of service.

The board of trustees of the Philadelphia bureau have recognized the growing activity of women in public affairs, and recently filled vacancies in the board, by the election of four representative Philadelphians: Dr. Martha Tracy, Miss Florence Sibley, Mrs. George McFadden and Miss Mary H. Ingham. Other bureaus have perhaps had a rare woman trustee, but it is believed that this is the first time that the election of women trustees was a definitely adopted policy.

W. C. B.

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The Buffalo Street Car strike was treated in a comprehensive way by Frederic Almy in *The Nation* of December 21. It describes especially Mayor Buck's resistance to various suggestions of compromise. Mayor Buck's attitude is summed up in his statement, "I am satisfied that public opinion demands that those who control the street railway situation in this city must get out and stay out." The results seem to have justified his attitude.

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Civil Service Requirements for High School Principals.—Dr. William H. Maxwell, who for many years was the successful superintendent of schools in New York, and who is now superintendent emeritus, has proposed to the civil service reform association that an amendment should be sought to compel the framing of an eligible list for high school principals.

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Psychological Tests for Clerical Applicants.—Dr. L. L. Thurstone of the division of applied psychology of the Carnegie Institute of Technology, Pittsburgh, has prepared an examination pamphlet for the testing of clerical applicants consisting of eight tests. These tests involve the correction of errors in the solution of simple problems in addition and subtraction; the detection of errors in spelling, and of specified letters of the alphabet; the substitution of specified numerals for specified letters; the selection and grouping of names; the selection of more complex data; the solution of simple problems and the association of Arabian proverbs with their English equivalents. Both speed and accuracy are rated.

The examination pamphlet contains sample clerical jobs by means of which the interviewer is better able to measure the caliber of a clerical applicant than by means of the usual casual conversation. That these sample clerical jobs or psychological tests constitute a better measure of potential fitness than the academic tests usually employed by civil service examiners is also not to be disputed. During the war, one of the services which was exempted by executive order from civil service regulation recruited to clerical service by means of psychological tests and found the method entirely satisfactory and efficient.

L. F. F.

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Municipal Laundries for Uruguay.—European travellers remember the little groups of peasants washing clothes in the brook near their villages. This custom exists very generally in the older countries and apparently also in South America. The Uruguayan government, in virtue of a law of June 27, 1918, takes official cognizance of the practice by providing for the construction of municipal laundries or washing places (lavaderos) in all cities of the Republic. These buildings, according to *Commerce Reports*, are to be erected in series of four, the first four to be built in Salto, Paysandu, Mercedes, and San Jose. The government is authorized to expend not to exceed 22,000 pesos ($22,750) per year for the purpose. Where municipalities have the necessary funds they may themselves construct the washing places, but in accordance with the government requirements. The buildings erected by the government will be turned over to the municipalities after completion.

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The Making of Municipal Bricks is the latest undertaking of an English municipality. The Redditch urban district council was unable to obtain the necessary bricks to carry out its scheme of building two hundred more houses, so not to be balked it established its own brick making kiln and the problem was solved.

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A National Health Ministry has been created in Great Britain and its organization entrusted to Dr. Christopher Addison, president of the local government board and who for two years and a half was at the head of the ministry of reconstruction. In describing the work which it was expected the new ministry would supervise, Dr. Addison said:

"It will be a few months before the ministry of health can be established. For many purposes affecting the service the administrative unit must be a large one. A small area cannot possibly be self-contained, in a medical sense. It cannot have resources sufficient to meet all its emergencies. What we seek to establish is really a medical intelligence department. It will have its laboratories with everything necessary for research, and will have access to all information gathered by public medical officers. It is frequently possible to see an epidemic in the distance. We shall soon look to our intelligence department to give us due warning of the approach of anything of the kind, and to advise us as to our counter-offensive."

Home Market for Municipal Bonds.—The Liberty bonds were floated at home, subscribed for by the American people. Over-the-counter sales of small denomination bonds by cities would not only encourage the habits of thrift and saving, but would tend to stimulate civic interest. Cities could thus finance their reconstruction improvements. The government of France before the war issued securities her citizens could buy, denominations being as low as sixty cents. Such very small amounts might not be practicable here, but the principle of issuing bonds of such sizes that the average citizen, not only the citizen with $500 or $1,000 or larger sums, can afford to purchase them, deserves serious consideration by every American municipality. NOEL SARGENT.

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Tearing up the Streets.—It is generally agreed that one of the most aggravating circumstances in the paving of the city streets is that after the streets have been adequately paved and the residents and owners of the property have begun to take personal pride in their new improvement, the pavement is apt to be cut up to allow for the placing of pipe lines or service connection to some new residence or store building. The Portland cement association, which has for its motto "concrete for permanence," has turned the attention of its publicity on this subject and is doing some splendid work in the direction of educating municipalities and citizens generally as to the necessity of doing the necessary underground work before the pavement is put down. In a recent letter sent out by the editorial bureau of this association, it calls attention to the fact that Cleveland, Ohio, has placed restrictions upon the undiscriminating cutting up of new pavements and requires prospective builders to lay their plans far enough in advance of pavement improvement to permit of it being done before the pavement is placed. Some time previous to the commencement of a pavement improvement signs are placed conspicuously along the streets giving notice of this work and requiring all underground connection to be placed before the paving is done. Thereafter the pavement must not be cut for this purpose for a period of five years.

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Municipal and State Income Taxes.—Mayor Kiel of St. Louis has recently proposed that a state income tax be levied to raise funds for the program of social development planned and to replace the money that will be lost on liquor licenses; about $2,000,000. There has been some talk of levying such a tax also in New York city. Mayor Kiel urges the incorporation of suburbs to prevent wealthy individuals who do business in St. Louis escaping taxation. The objection has been made that capital will be driven from the city and that new capital will be repulsed if such a tax is adopted.

An issue of *Public Business* (issued by the Detroit bureau of governmental research) notes the fact that Wisconsin taxes all incomes and that Massachusetts in 1916 adopted a law applying to so-called incomes and incomes from certain classes of intangible property. The proceeds of these income taxes, though collected by the state, usually revert to the local subdivisions. In line with this development comes the recommendation of the Michigan state tax commission for a constitutional amendment permitting an additional income tax for the state in lieu of all intangible personal property taxes. The commission enumerates six points on which it believes that such a law should be based:

1. The net income should be the measure of the individual's taxable ability.

2. The income tax should be levied on the entire income from all sources except income from United States bonds, and salaries of federal officials (specially exempted by law).

3. The rate of income tax should be the same for all kinds of income and not differentiated according to the source from which it is derived.

4. The rates of income tax should be progressive, depending upon the amount of the taxpayer's net income, with exemptions for net incomes under a certain sum.

5. Income taxes should be collected directly from the taxpayer on a basis of strictly enforced reports of the taxpayer and no part of the tax should be collected at the source.

6. Administration of the income tax should be in the hands of state officials and not in the hands of local officials.

✱

Street Development.—One of the encouraging and interesting factors of modern street development has been the organization of men and women interested in a particular street for its further improvement and the extension of its influence. Perhaps the best known association of this kind is the Fifth Avenue Association of New York, of which Robert Grier Cooke is the president. In a recent article appearing in *The Evening Post*, Mr. Cooke told of the war-time activities of this association and of the truly remarkable work which it had accomplished. This association takes an interest in such things as the traffic, the height of buildings, zoning generally, and the development of realty. The work of the association has attracted attention outside of the country and the business men of King street, Toronto, have organized along similar lines calling their movement "Greater King Street."

✱

Compulsory Voting in Massachusetts.—Among the constitutional amendments adopted at the November, 1918 election, was one which read as follows: "The general court shall have authority to provide for compulsory voting at election, but the right of secret voting shall be conserved." The committee to compile state constitutional amendments reported that the compulsory voting does not exist anywhere else in the United States. It is mentioned in one constitution in the 48 states, North Dakota. It provides that the legislature may prescribe penalties "for failing, neglecting or refusing to vote in any general election." Thus far the legislature has not taken any action to carry out the power thus granted. The same committee prepared a memorandum concerning the subject of compelling voters to exercise their franchise as worked out in Austria, Belgium, Spain, New Zealand and Tasmania. In the latter country after each general election the name of every person who has a right to vote and has failed to do so is stricken from the list. New Zealand has a somewhat similar provision. In the former legislation was enacted in 1901; in the latter in 1893. Compulsory voting is obligatory in cantonal matters in certain of the cantons of Switzerland, but the measure is not vigorously enforced. Belgium fines those who fail to vote without proper excuse. In submitting its memorandum the committee reported that in no other country do the elections come so frequently as in the United States, nor is the burden on the voters so great as here. In Roman Catholic countries of Europe elections are held on Sunday, making it possible to secure a large vote without interfering with the voters' employment.

⁂

Proportional Representation in Ireland.—Sligo has the distinction of being the first city in the United Kingdom to hold a post-war municipal election and to hold it under the proportional representation system. The city is divided into three wards each represented by eight members. There were sixteen candidates in each ward. The single transferable vote was used and 2,251 votes were cast, only 43 of which were declared invalid. The total register was 3,066 including of course, the absentee voters. The rate payers' association elected eight representatives; the Sein Fein, seven; labor, five; independents, four. The local press, both Sein Fein and Unionist expressed their appreciation and satisfaction with the new system. The *Sligo Champion*, a Sein Fein organ said: "The system has justified its adoption. We saw it work. We saw its simplicity. We saw its unerring honesty to the voter all through, and we saw its vote to the final count and we join the expression of those who follow it with intelligent interest. It is as easy as the old way. It is a big improvement and it is absolutely fair."

Regulation of Aerial Traffic.—The publication of the report of the British civil aerial transport committee and the signs of an early and considerable development in the use of aeroplanes renders it necessary, the *London Municipal Journal* points out, to consider in what directions it will be essential for municipalities and other governing bodies to exercise control over the use of aircraft. So far as internal services in England are concerned the great point is, of course, to make use of the speed capabilities of the aeroplane. This can only be done by reducing terminal delays to a minimum. If much time has to be wasted in conveying mails or passengers to the aerodrome before the aerial journey can be started, and subsequently in conveyance to the ultimate destination after the landing ground has been reached, then it is quite conceivable that an inherently slower method of transit may hold its own as regards speed from terminal point to point. The real utility of the aeroplane will, therefore, be largely dependent on the possibility of placing aerodromes and landing grounds in something approaching central positions. There are obvious difficulties in the way of so doing. If we select, the report says, for an aerodrome, a park in the center of a great city, all the machines employed must be continually flying over the town and must descend to low altitudes when so doing. The lower the altitudes, the greater the risk of injury to individual or municipal property in the event of any accident to the aeroplane or any failure of its engine. Clearly the public must be protected as far as possible against such risks. The owner of property, in English law, is also supposed to be the owner of the air above that property. Aerial transport is, however, impossible if this sort of right be insisted upon literally. Thus, a compromise which naturally suggests itself is that, when an aeroplane flies at anything below some defined altitude, civil liability falls upon the owner of the aircraft in the event of accident. Any such regulation would, however, be most difficult to impose, because it would involve setting apart very large areas for landing grounds. Thus, it appears that the landowner can only be protected by giving him a specific right of action for damages on the grounds of any nuisance resulting from breach of the regulations that may be imposed.

All this leads to the conclusion that municipalities must interest themselves in all those regulations that may be suggested to apply to ascents and landings. If the municipality is not satisfied that such regulations provide the necessary measure of safety and the elimination of nuisance, then the only alternative is to place the aerodromes and landing grounds well outside the centers of population, which, as already pointed out, would greatly decrease the utility of aeroplane services, except over very long distances.

The point may perhaps be brought home more clearly by taking one or two imaginary examples. Suppose an aerial service to be in operation between two places a hundred miles apart. The actual journey by air may take about one hour. If the aerodromes are distant from the terminal centers the total journey from center to center may take three hours, and may well be slower than the journey by railway between stations centrally placed. In the case of two cities, say, five hundred miles apart, the aerial journey may take five hours, and the addition of the same terminal delays, namely, one hour at each end, would give a total of seven hours, which would certainly compare very favorably with the time taken by the fastest express railway service. Thus, the minimum distance over which an aerial service would be really useful is largely dependent on the positions chosen for landing grounds. Municipalities will thus be faced with a rather delicate question as to the degree to which the safety and comfort of the property owner and of the general public can be jeopardized in order to encourage air services which may well increase the business done in the locality by increasing the efficiency of the business methods and expediting the delivery of mails and the carriage of passengers engaged upon affairs of urgency.

II. POLITICS.

387 Engineers Laid Off.—Nearly four hundred engineers of the public service commission of New York city were dropped on the first of the year as a result of the action of the board of estimate, which resolved upon this move at a meeting held December 30, 1918, as the matter involved was the administrative appropriation for the first quarter of 1919. Three months earlier, the public service commission had submitted its September estimate of the budget to the board of estimate and apportionment, to become effective January 1, 1919. On November 30, the board of estimate and apportionment emasculated this budget so as to require the laying off of, it was then estimated by the public service commission, 167 men. This was, however, an underestimate, because on December 31 the public service commission was forced by the failure of the board of estimate and apportionment to provide adequate funds, to lay off 387 men.

The employment of these men was within the power of the public service commission, but under a law passed in 1918 final authority as to all appropriations and other administrative matters involving departments of the city was lodged in the board of estimate. Two hundred and ninety of the suspended employes were restored to service January 31, and a few more were restored in February; approximately 85 of them remain on a suspended list.

This wholesale dismissal of a trained force is naturally regarded with consternation not only by the men directly involved, but by all interested in building up an effective civil service in the city. If men who have given of their best to the city are to be dismissed on such short notice and without adequate cause, it will be more difficult than ever to secure men in the public service whose abilities and capacities are above the ordinary. Such actions, like that of the board of estimate, by undermining the confidence in the tenure of public service, increase the difficulty of administrators of securing men equal to the great tasks modern municipal life imposes upon them. Moreover, such actions are justly regarded by advocates of municipal ownership and operation as a serious blow to their aspirations, if skilled men are to be treated as so many laborers taken on and laid off by the arbitrary action of another body than the one responsible for their work. Under these circumstances no assurance can be given that any farsighted constructive policy of operation can be successfully carried out.

III. JUDICIAL DECISIONS

Budgets.—The Massachusetts supreme court has decided recently in *Flood* vs. *Hodges* that when a budget has been submitted by the mayor of a city, adopted by the municipal council and approved by him, the council cannot make appropriations under the municipal indebtedness act contrary to the wishes of the mayor, covering subjects provided for in the budget. The case arose in an effort to restrain the auditor and treasurer from paying certain increases in compensation to policemen and firemen which the council was trying to accomplish by ordinance without the mayor's approval. The court said "This unequivocal limitation placed by the statute upon the power of initiative by the council in making appropriations cannot be circumvented by the agency either of a vote requesting action by the mayor, or of an amendment to ordinances establishing such expenditures, or by the enactment of an ordinance attempting to deprive the mayor of one of the essential prerogatives of the chief executive. . . . of approving drafts or warrants before money can be withdrawn from the city treasury."

◆

Annexation.[1]—A number of provisions of the Rochester city charter were recently held to be unconstitutional by the New York court of appeals. The case arose from the application by the city to acquire for municipal purposes lands in the town of Canadice, Ontario county, belonging to certain citizens. The owners objected to the appointment of commissioners for the appraisal of damages, and these objections were sustained by the highest court in the state. The court said that the charter did not provide for an impartial tribunal, because one of the three commissioners must be a resident and freeholder of Rochester and because the city council having judicial power in such cases would not be impartial as between the city and the landowner, and finally because when the valuation is made, the city can appeal and the landowner cannot.

◆

Recall.—In *Ackerman* vs. *Moody*[1] it was decided that under the state constitution and city charter, the members of the board of education of San Diego are subject to recall, though the school district comprises certain territory outside of the corporate limits of the city and the board members are paid by warrants drawn upon the county treasurer.

◆

Public Utility Regulation.—The supreme court of Colorado has recently decided, in the suit brought by the city of Denver to prevent the Mountain States telephone and telegraph company from putting into effect increased rates granted by the public utilities commission, that the charter amendment to the state constitution giving charter cities the right to regulate public utilities was valid. The commission claimed the power not only to change rates but also franchise provisions. Rates made by Colorado Springs, Denver, and other home rule cities will henceforth prevail. The telephone company has asked for a rehearing.

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[1] *In re City* vs. *Rochester*, 121 N. E. 102.

[1] 176 Pac. 696.

Occupation Taxes.—The Ohio supreme court has just decided that home rule cities have a right to levy an occupation tax provided the state does not do so, and declared the occupation tax ordinances passed by the Cincinnati city council to be valid.

Ohio Classification Amendment.—The Ohio classification amendment passed last November has just been knocked out by the supreme court on the ground that it conflicts with the mortgage exemption amendment passed at the same time and also because it conflicts with the provisions exempting from taxation property used for charitable purposes. Three judges dissented contending that the mortgage exemption amendment only, and not the remainder of the section, was voted on by the people and that the provisions of the amendment are not in conflict with classification; that the two amendments might stand without conflict.

◆

Torts by Policemen.—Police officers, though employed by a municipal corporation, exercise a governmental and not a corporate function and in the absence of a positive statute to the contrary cannot by their tortious acts render the employing municipality liable in damages *ex delicto*. This was held recently by the Louisiana supreme court in *Joliff* vs. *Shreveport*[1] where in a liquor raid considerable damage was done by the police and the city was sued as a consequence.

◆

Fares.—The supreme court of Louisiana in the case of the *City of Lake Charles* v. *Charles Railway Light & Water Company*[2] decided that a temporary injunction would be granted against the street car company, which although permitted by its franchise to charge only a five cent fare, was actually charging seven cents. The contention of the street car company was that the municipality was without legislative authority to fix or limit the fare that might be charged in the exercise of the franchise. The only question decided by the court was that the act prohibited by the injunction, if permitted to be done until final judgment was rendered, might cause an irreparable injury.

ROBERT E. TRACY.

IV. MISCELLANEOUS

Landscape Architects and Reconstruction.—A special meeting of the Amercian Society of Landscape Architects was held in Washington said Professor J. S. Pray of Harvard, president of the society, "to consider how we may best be of service here and overseas during the reconstruction period. The country is faced, for instance, by a large building program. Better and more economical results will be secured by the co-operation of the landscape architect. He is likely to be called in more and more upon these and city planning problems." A medallion was presented to F. L. Olmsted by the society at their convention dinner in appreciation of his part in the winning of the war. It was pointed out that as his father, the great artist and landscape architect, had employed his powers of organization and his sturdy good sense most effectively, as head of the sanitary commission during the civil war, so the son had made a similar contribution during the present war to the housing of both troops and munition workers. The medallion represents the goddess Vesta, whose charge it is to "keep the home fires burning," hand in hand with Mercury, the Roman god of industry.

"Of the 84 members of the society conducting their own offices, 43 have been called in one way or another into government service, either by the housing bureau, the construction division of the army or the shipping board," said Mr. Olmsted, who is now serving as chief of the town planning division of the housing bureau. "This is a remarkable record, especially since landscape architecture is considered by the man in the street as an occupation only for settled conditions, and even something of a luxury. The fact is that in this emergency, the landscape architect was found pre-eminently qualified to serve in one field of town planning required by the government in laying out cantonments for troops and industrial housing developments for war workers. Consequently he was drafted to this service."

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[1] 180 So. 200.

[2] 80 So. 260.

"If our experience in the housing bureau has proved anything," continued Mr. Olmsted, "it is the possibility and value of a thoroughgoing co-operation between the architectural, town planning, and engineering professions. In our office, each has been represented by a division, all working together at adjacent desks and all assisting in the solution of every problem. It offers a fine promise of the future for building and land subdivision in all its branches.

The convention was held in Washington on account of the many landscape architects who are working in the housing bureau and the construction division of the army. Its chief work was to consider how the society can be of further service and how the work in town planning and industrial housing which the housing bureau has so admirably started may not be lost.

◆

The Proposed League of Ohio Cities.—Just at present the movement for a league of Ohio cities seems to be lagging. A letter from Mr. Carr, of Springfield, a member of the committee on permanent organization, states there is now little chance of a league. However he does not intend to quit, but is waiting for an opportune time to present a measure to the Legislature that will provide for a league. The first provision we need is a law authorizing cities to appropriate money for the support of such an organization, then we can get a live secretary on the job. There is very little interest shown by some of the largest cities and this seems to be easily accounted for. They are strong enough to stand for themselves, but the smaller places cannot accomplish a thing individually. I have already noticed how the large cities hob-knob with the state officials, and the smaller cities have only the support of some rural legislator who can see no further than to labor for the rural population and its representatives—the county commissioners. In a state where cities are supposed to have the priviliege of Home Rule, such as this one, it is a joke to see what little local and self-government they really have. We are not only creatures of the state, but also of the county, through a budget commission composed of county officials, as well as creatures of a civil service commission and an interest and sinking fund board. Some one to tell us just how much money we can have; some one to come in and grab most of it to pay off short-life bonds on long-life improvements and some one to tell us just who we must employ.

I would rather see a league of cities than anything else just now. This would be the starting of better laws and better conditions for cities in this state. Mayor Galvin, of Cincinnati, is chairman of the committee on permanent organization and he said at one of our meetings that he did not believe cities should organize and employ a walking-delegate (secretary). That just such sort of thing was what we were condemning in labor and the farmer. I asked him if the whole scheme of life was not a case of survival of the fittest and if labor and the farmer were not making progress by their methods, and if it were not up to the cities to pursue the same methods, even if it were only for defense. Carr is a fighter and I believe we can get along. The smaller cities, with Dayton and Springfield are anxious about joining.

KENYON RIDDLE.

◆

Professor Howard Lee McBain, who became an associate editor of the NATIONAL MUNICIPAL REVIEW in April, 1914, succeeding Professor Charles A. Beard, has been compelled by pressure of his academic and personal obligations to retire from that position. The editor takes this opportunity of expressing his appreciation of the very large service which Professor McBain did in that capacity. He was helpful, wise and stimulating in advice—this combined with his wide knowledge of municipal affairs, especially in their legal aspects, made him a coadjutor of real value. He has been succeeded by William J. Donald, the secretary of the chamber of commerce of Niagara Falls, who brings to the NATIONAL MUNICIPAL REVIEW the point of view of one who has been trained in economics and political science and who has had extended opportunity in organizing commercial bodies along the modern lines represented by the American city bureau.

◆

Colonel William Gorham Rice has been reappointed by Governor Albert Smith of New York a member of the state civil service commission. Mr. Rice's term expired February 1. His work on the commission has been of a high grade and his reappointment is generally regarded as a triumph for the merit system. He was appointed by Governor Roosevelt and four years ago was reappointed by Governor Whitman. Colonel Rice is chairman of the joint committee on civil service and efficiency of the National Municipal League and the National Civil Service Reform league.

◆

Charles H. Wacker has been the first and only chairman of the Chicago plan commission. Recently that board passed a resolution recognizing the services which he had rendered without remuneration saying that "it is not a little thing for a man to sacrifice his time, his energies, his business and personal financial interests to an ideal, and the ideals of the old commercial club through Daniel H. Burnham and his staff, which have been handed to the city of Chicago by the generosity of the commercial club, would have been unavailable had the duty of carrying them forward fallen upon the shoulders of a man whose ideals had not been commensurate with the great task. This untiring, unselfish and devoted work of Mr. Wacker will be a lasting benefit to every citizen of Chicago no matter in what connection he may live or what his position in life may be. The plans and ideals are so broad that they reach every corner of Chicago and assist in the development of the whole city."

Henry Read, after fourteen years of useful and effective service on the Denver art commission, has resigned as a result of the failure of the present administration to co-operate as directed by the law. Mr. Read is the father of the section of the charter creating a volunteer body of artists, architects and public spirited citizens as an art commission. He served faithfully as the commission's chairman, in which capacity he saw conceived and achieved virtually all of Denver's triumphs in beautification. Among these might be mentioned the various park projects, the reclamation of Cherry Creek bottom, the erection of the Welcome Arch, the establishment of the Civic Center, the location of statues and the creation of an ornamental lighting system.

◆

Charles E. Merriman, who has had a useful and interesting career as college professor, Chicago alderman and a captain in the army, announced his candidacy of mayor of Chicago on a reconstruction platform. In the course of his opening address he said, "My principles would be to select strong men and women capable of working together without regard to party, class or creed, on exactly the same principle that united action was obtained during the war." Certainly a fine principle which we hope the voters of Chicago will endorse.

◆

Harrison Gray Otis, after a year of service as city manager of Auburn, Me., has resigned. In his letter of resignation he said to the commissioners: "You will recall that upon my accepting the position as manager last February I stated that my resignation was placed upon the table with my acceptance. May I ask that you accept this resignation to take effect January 1, 1919." In accepting the resignation the mayor and the commission expressed their appreciation of his work and assured him of their good will and friendship.

◆

Howard Strong, who has been the successful and resourceful secretary of the

Minneapolis civic and commerce association, has resigned to become secretary of the Rochester chamber of commerce, of which R. B. Woodward was for so many years the efficient executive. He entered upon his duties on February 1.

*

Holmer Talbot, after a useful term as secretary of the League of Kansas Municipalities, has resigned to accept the position as secretary of the New Jersey State League of Municipalities in succession to Claude H. Anderson.[1] Edward T. Paxton has been serving as secretary pro tem. Mr. Talbot has been succeeded in the Kansas league by A. O. Long, secretary of the Texas league.

*

Frederick C. Butler, who during the war had charge of the community problems of the war department with relation to the production of munitions and who was responsible for the working out of the East St. Louis plan,[2] has been appointed director of Americanization in the bureau of education. Regional directors will be named to proceed immediately with the organization of the states and through them of the communities.

*

Samuel H. Ranck, librarian of the Grand Rapids public library, one of the aggressive institutions of its kind in the country, is engaged in library war service abroad. Mr. Ranck has been identified with the committee work of the National Municipal League for many years.

*

George Burnham, Jr., has resigned the presidency of the city club of Philadelphia and has been succeeded by William R. Nicholson, the president of the Land Title Trust Company of Philadelphia.

*

John A. Lapp, formerly legislative reference librarian in Indiana and recently director of the social insurance commission in Ohio, is in charge of the Americanization work of the National Catholic War Council.

*

Dr. C. C. Williamson, associate editor of the NATIONAL MUNICIPAL REVIEW, has been elected a member of the board of editors of the *American Political Science Review.*

*

William J. Locke, the assistant secretary of the California League of Municipalities, is a member of the present session of the California legislature.

*

J. L. Jacobs has retired from the Emergency Fleet Corporation in Philadelphia, having returned to his professional practice in Chicago.

*

Morris L. Cooke has finished his war work and has opened an office as a consulting engineer in management in Philadelphia.

*

R. Stuart Royer, formerly city manager of Fredericksburg, Va., is now manager of the Alexandria chamber of commerce.

*

Twenty Years a Mayor.—Charles S. Ashley has the unique record of having been elected for twenty consecutive terms as mayor of New Bedford, Mass. It is true the term is only for a single year, but it is an extraordinary record that he should have been reelected twenty times. An interesting feature of his entrance upon his twentieth term was the presentation by eighty manufacturers and merchants of the city of a purse of $12,000.

*

The Civic Club of Philadelphia has been celebrating the twenty-fifth anniversary of its organization with a series of meetings and a special number of *The Civic Club Bulletin.* Organized "to promote by education and active co-operation a higher public spirit and a better social order," this active organization of Philadelphia women has continuously for a generation been advancing these highly desirable ends. Now at the end of twenty-five years it is stronger, more vigorous and more effective than ever. The club has always been closely associated with the National Municipal League, with which it has co-operated on many occasions—in fact it was one of the hosts at the Philadelphia conference held in January, 1894, out of which the National Municipal League grew.

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[1] See NATIONAL MUNICIPAL REVIEW, vol. viii, p. 107.

[2] See NATIONAL MUNICIPAL REVIEW, vol. viii, p. 52.

In her review of "Civics Twenty-five Years Ago," Mrs. Cornelius Stevenson, the first president of the club, said: "To be sure I had been interested in reform, having usually served on committees, when the municipal league or civil service reform conventions brought to this city men like Charles Bonaparte, Carl Schurz, Theodore Roosevelt, Mrs. Josephine Shaw Lowell, and other leading reformers at whose feet I sat in all humility."

Mrs. Edward W. Biddle is now president—her predecessors, in addition to Mrs. Stevenson, being Mrs. Owen Wister and Mrs. Matthew Baird.

*

A woman's civic building, to be known as the Ella Flagg Young Memorial Hall, is to be erected under the auspices of the building committee of the Chicago women's club, to cost $225,000, the first $50,000 of which has been contributed by Julius Rosenwald.

NATIONAL MUNICIPAL REVIEW

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VIEWS AND REVIEWS

I

THE change of this magazine from the bi-monthly to the monthly issue is a response to the analysis of National Municipal League needs made by the league's survey committee last year.

The cost of the change—$5,000—is covered by the generosity of certain members who, by gifts and underwritings, made up the required sum.

To carry the new work imposed by the monthly form and reduce the over-burden hitherto borne by the devoted shoulders of Mr. Woodruff, a new assistant editor enters the Philadelphia office. Childs, as a volunteer, takes this new editorial department and selects the major articles; Williamson continues his department of publications, and Woodruff runs "Notes and Events" as heretofore and manages the publishing.

II

Henceforward, therefore, the REVIEW will have editorials and opinions. We shall have an editorial program and shall expect you to share with us enthusiasm over every victory for budgets, short ballot, city manager, tax reform, proportional representation, civil service reform and new tools of democracy yet to be invented. We shall propagate and proselyte, on the theory that the National Municipal League knows what ought to be done in American civics and feels enough self-confidence to din its advice into American ears. We shall not be content to speak truth; we shall lobby for its enactment.

III

We need $5,000 more to put the league to full speed, to equip committees with secretarial and research service and to enlarge our audience by fixing a lower price for the REVIEW.

Who is with us on this quest? And how much will you put in to see us through?

IV

The league's survey committee favored a new name for this magazine. Our field is no longer purely "municipal" but deals with state and county government, too. The REVIEW is now to be less of a "review" and more of a crusader. Among the names suggested are "Government," "Democracy," "Democracy in America," "Constructive Democracy." We hope to find the ideal name and change the name (and cover) in the fall.

Meanwhile, any suggestions?

V

The world, we understand, is now safe for democracy.

Ergo—let us now indulge in some! You are not free yet! You call this democracy, but commonly it fails to 'democ.'

A century and a half after the Declaration of Independence finds you in Philadelphia helpless to get a modern charter save with Penrose's permission, in New York, standing around while Murphy makes up his mind as to candidates, in every state helpless to intervene while two little cliques pick alternative state tickets for you, in myriad towns ruled by petty bar-room autocracies. A separate little ruling class, called the 'politicians,' controls and works for itself first.

Business men fret to see the waste and inefficiency—but somehow it goes serenely on. Labor yearns for government that will do battle for it in the economic field, yet must admit that government falters at the task.

The path to freedom lies by such dull scenery as sound ballot laws, simplification of politics, merit system, executive budgets, correct legislative procedure, county government reform, proportional representation—ways that are blocked by prejudice and inertia.

Our National Municipal League crowd knows the way—has known it for years.

Let's go after labor and business and women and show them our route to freedom!

VI

English cities, they say, are economically governed because each voter is a conscious taxpayer.

It will be interesting to see if the federal and state income taxes in their widened applications will have a reaction presently on congressional and state methods of expenditure.

We don't expect it this year. The tax is still too much of a war novelty. The taxpayer wallows through his check book and his tax blank, approaches the climax, the calculation of his tax, with a kind of ecstatic pain, looks back and discovers errors of interpretation or footings, figures again, finally makes his neat copy and mails it hastily lest he notice reason for still further revision and then enlarges upon his difficulties and speaks darkly of the vastness of his tax, with all the relish of a small boy who has just suffered the extraction of a large back tooth.

The novelty won't last. The tax will

Then, Mr. Legislator, we who know a budget from a pork-barrel may find a lot of new friends at our shoulders

VII

"Congress adjourns in chaos" ran the newspaper headlines in March.

So does every congress, although there is usually less publicity about it; so does every American state legislature.

And when America ruefully surveyed its Federal Employment Service left without appropriations in the midst of demobilization, its railroads left in mortal danger and numerous other great enterprises thrown into disorder, it ought to have hated the political theory which devised brakes and ignored the dangers of stoppage. The peril that government may not do anything is frequently a greater peril than that it may do wrong.

VIII

The weakness of our legislative tradition is an excessive faith in "parliamentary law." When congress does act, it is almost always by setting aside the routine procedure. In the legislatures, a rules committee, a party boss, or gubernatorial intervention—a strong hand somewhere—gets some business done, by ways that are more or less extra-legal.

The exception proves the rule.—It is related that the first legislative session in New York under Governor Odell was the shortest in recent history and adjourned peacefully with its work all done. The Governor prepared the program of legislation, and met the legislative leaders with a basket of choice plums of executive patronage. Result, a most satisfactory trade, promptly completed!

It was a crude, cynical, inadmissible, practical way of providing leadership.

New legislative rules are not enough. Clearing away the rubbish of petty and private legislation by a few good general laws is not enough. Leadership—a ministry of some sort, is essential.

The right principle appears in the budget idea wherein one responsible expert proposes and the lay representatives criticize, assent, modify or deny. All legislative processes must come to that principle of frankly-organized responsible creative leadership, while the rank and file of the members must accept the opposite function of reviewing, questioning, challenging and saying on demand with authoritative and competent finality—"Yes, our people back home will stand for this—but not for that!"

Then instead of cursing congress or the state legislature in an impersonal and politically harmless way, we could address our curses with precision to the negligent parties!

IX

In "The Education of Henry Adams" is told the story of the eclipse of a fine old intellectual school of American statesmanship by the rising power of the materialistic captains of industry—Beacon Hill eclipsed by State Street, Hoar eclipsed by Hanna, government eclipsed by industry—a wholesale transfer of the seat of power undreamed of when our political system was erected. What, indeed, is the municipal corporation of Bethlehem in local affairs compared with Schwab's corporation, or the government of Delaware compared with the Du Ponts?

Now comes another shift of power, when the railway brotherhoods can hold a stop-watch on congress while an Adamson law is "deliberated," when the harbor strikers can say whether or not New York shall eat, when in countless industrial cities a group of union leaders governs the population far more intimately than the common council.

To hold its own, on behalf of the common interest, government must be as simple, direct and flexible, as unencumbered with red tape, as easily controlled by its rank-and-file, as either the unions or the corporations. Our Model Charter meets that test and fifty cities are near enough to its principles to be reasonably competent to look after themselves. Others will need more luck.

X

For over twenty years the quiet, helpful, genial presence of Mr. Burnham has graced the conferences of the National Municipal League. He commonly read no papers, made no speeches—he was the treasurer. His own bookkeeper kept our accounts, at no cost to us. When the bottom of the treasury was bare, the pay-roll money still came unfailingly. When his loans became large, he called them gifts and we started afresh. And finally this spring he volunteered thus to erase $3,000 of our war deficit in order to be allowed to resign.

The facts are themselves his tribute.

Richard S. Childs.

THE OLD ORDER CHANGETH

North Dakota and Wisconsin have passed state-wide optional city-manager laws under which any city can adopt the commission-manager plan on the lines of our Model Charter by a simple local referendum. That makes 13 such states.

* * *

Governor Lowden of Illinois reports that the 1917 rearrangement of the 125 scattered bureaus and offices of the old state administrative establishment into an orderly series of nine departments, has proven a great success. The National Municipal League called the attention of the other governors to this message.

* * *

Idaho has passed an act departmentalizing the state administration, grouping 48 bureaus, officers and commissions into nine departments.

* * *

Indiana has made definite progress toward the short ballot by taking off the ballot the state statistician and state geologist and passing through the legislature, subject to re-passage next session, constitutional amendments to take off the clerk of the supreme court and the superintendent of public instruction.

* * *

North Dakota, having voted for state-owned terminal elevators, flour mills and banks, is planning to place them at Fargo, making the plants works of architectural beauty, worthy of their inevitable prominence in a prairie town. Model homes for the new working population are contemplated.

* * *

Nebraska, thanks to a good law recently passed, will elect its constitutional convention next November on a non-partisan ballot. A survey committee of five is to be appointed immediately by the supreme court to prepare data for the convention.

* * *

Rome, Georgia, Bristol, Virginia, and McAlester, Oklahoma, adopted the city manager plan in April, bringing the list of true manager cities of 8,000 population or more, up to 52. About ten more cities are on the way.

* * *

Utah has passed, subject to adoption by the people, a constitutiona amendment giving all its cities power to draft and adopt their own charters. The amendment also permits municipal ownership and operation of utilities and to practise excess condemnation of property.

A FUTILE CONFERENCE AT THE WHITE HOUSE

BY FRANK C. WIGHT

I

WHILE the conference of the governors and mayors at the White House the first week in March promised more than it performed, one wondered after seeing the conference in action whether any great expectations of its usefulness were not unwarranted. Gathered together as they were on short notice, the heads of states and cities widely separated and with varying and sometimes conflicting problems depended for any substantial statement of opinions and deductions as to action on an ordered plan of operation. This the White House conference did not have. Ostensibly, it was called by the president of the United States to consider the many problems which for want of a better term we have grouped under the word "reconstruction." Specifically the difficulties of labor and of unemployment were to be discussed. After three days' continuous session the real underlying problems of labor were scarcely mentioned, and the possibilities and difficulties of unemployment were but lightly touched upon.

What, in fact, happened was that the conference, sitting in the august precincts of the White House where it could hardly protest, had to work too closely to a program prepared by the Department of Labor, a program made up mainly of a series of stodgy addresses by various cabinet officers on the state of their departments, and reports from governors which were either stump speeches or dry statistical statements. With the exception of Secretary of Labor Wilson's address on the dangers of Bolshevism, an address, by the way, which was practically a repetition of his little circulated statement before the Senate Committee on Labor and Education about six weeks before, there was small intimation from a federal officer of any serious emergency in industrial or national affairs. Still less was there any serious federal recommendation for reconstruction action. Secretary Lane, to be sure, outlined again his well-known land and reclamation projects, but as these all depended upon the action of a congress which had just adjourned, the approval or disapproval of the mayors or governors was of little importance. The president himself, after lightly shifting the responsibility for reconstruction onto the shoulders of the officials present, passed on to the general state of the world which is his main concern today. The Department of Labor presented a superficial program fathered by the press-agents who have apparently taken over most of the department outside activities under the guise of an "information and education service." The impression cannot be escaped that the conference was hastily called by the administration in the hope of "passing the buck" to the states and cities. At last accounts the "buck" had not moved.

II

But if the conference had no apparent value for the purpose for which it was called—and the smug platitudes of Governor Cox's resolution committee's report tell better than anything else how little was really accomplished—it did serve to show the mayors of America that there may be a possibility for concerted action on their part. In this particular conference they were overshadowed by the governors. All of the brief time allowed for floor discussion was practically absorbed by the state representatives. But those few mayors who managed to get the floor pretty effectively showed that they were more alive to the real problems of the people they represent than were the less responsible governors of the states, and that they had opinions based on observed facts which never come to the attention of the governors. It seems possible that following the preliminary organization effected at the conference the mayors will get together free from the restricting federal influence or the deadening gubernatorial oratory and helpfully work toward a solution of the problems which jointly vex them.

IDAHO SETS ITS HOUSE IN ORDER

BY HOWARD T. LEWIS
University of Idaho

New York tried to departmentalize its state administration in 1915, Illinois did it in 1917 with striking success, Delaware is headed in that direction and Idaho has just done it. :: :: :: ::

A very thorough-going reorganization of the civil administration of the state was undertaken by the Idaho state legislature at its session this year, when a measure abolishing some forty-six boards, commissions, and offices was enacted into law. The proposal was championed by Governor Davis, and became law on March 31 of this year.

The measure is the outcome of a number of years of intense dissatisfaction arising from the methods employed by state administrators. Criminal proceedings, wide-spread criticism of the state land board—one of the most important boards in the state—lack of uniformity of accounting, absence of a budget, and equally unbusiness-like methods have characterized the state administration for some time back. In fact, there have been many rumors that the financial condition of the state is in a far more serious condition than people generally were aware of. Expert accountants have been on the state books for over two years and those conversant with the situation contend that the whole matter of state finance is in a hopeless muddle.

The present step is an outgrowth of all of these factors. It was not preceded by a widespread campaign of a specific character for consolidation of state offices and a shorter ballot. In fact the voters last fall rejected very decidedly a proposed constitutional amendment designed to abolish the office of state superintendent of public instruction, and this in spite of the fact that the incumbent of that office vigorously supported the movement, as did her predecessor, and as did the state board of education, which made a very positive statement to the effect that unnecessary duplication of functions existed. The suggestion of Governor Davis, therefore, came as something of a surprise to many people in the state.

The measure, known as senate bill No. 19, by the state affairs committee, completely reorganizes the state civil administration so far as it is not definitely prescribed by the constitution. The only old board that is continued is the state board of education. No attempt has ever been made to effect any thoroughgoing reorganization of the constitutional provisions, and the voters in 1918 rejected a proposal to hold a constitutional convention for the purpose of revising that document. In so far, therefore, as that instrument provides for a considerable number of elective officials as well as for numerous ex-officio boards (which of course still exist, though their usefulness is a matter of question) the new plan lacks something of the completeness it might otherwise possess. Since, however, even the elective officials are in considerable measure dependent upon state statute for their power, the limitations of the new plan may not prove to be as serious as they at first appear.

The act is designed to vitalize "Article IV, section 5, of the constitution of the state by conferring upon the governor the power and responsibility of conducting the principal departments of the state government." It provides for a cabinet—or commission—form of government, with the governor at the head, assisted by nine departmental heads, some of whom are elected by the people of the state to specific offices, but all of whom must be appointed to the head of any department mentioned in the statute. These nine departments are those of Agriculture; Commerce and Industry; Finance; Immigration, Labor, and Statistics; Law Enforcement; Public Investment; Public Welfare; Public Works; Reclamation. Each department has as its head an officer known as the commissioner, who is appointed by the governor and, except "those under the constitution who are appointed for specific terms," may be removed by him at his discretion. Each commissioner receives a salary of $3,600 per annum. The statute also provides that in certain of the departments certain designated offices shall be created, but these are comparatively few in number, and on the whole the organization within each department is within the control of the commissioner. However, within the department of agriculture there must be a director of markets, a director of animal husbandry, a director of plant industry and a director of fairs; within the department of commerce and industry there must be an assistant commissioner, a director of banking, a director of insurance, and a manager of state industrial insurance; the office of fish and game warden is created within the department of law enforcement; a public health adviser must be appointed within the department of public welfare; a director of highways within the department of public works; and a director of water resources within the department of reclamation. In addition to these, the law creates a board of agricultural advisers, which is "advisory and non-executive" consisting of nine persons, who serve without salary, and whose duty it is to assist the commissioner of agriculture in the performance of his duties. All of these officials are to be appointed by the governor.

This latter feature is interesting. It was probably incorporated in order to center still further the administrative power and responsibility in the hands of the governor, which it undoubtedly does, but though the act provides that each subordinate officer shall "be under the direction, supervision, and control of the commissioner of the respective department to which he is assigned" the situation may easily arise where the official will look more to the wish of the person from whom he received his appointment than to his immediate head. If the actual appointments are to be made upon the recommendation of the Commissioners, of course this danger is minimized.

The organization of each department, with the exceptions noted are left wholly to the discretion of the head. He employs whatever employees he deems necessary, and fixes their compensation, except where previously determined by law. He may require an official bond of any assistant, should he choose to do so. No employee of any department is permitted to be paid for any extra service performed, and the gross amount of money received by any department from any and all sources must be turned over to the state treasury without any delay or deductions.

As would be expected, special qualifications are required of some of the cabinet members. Thus, neither the commissioner of commerce and industry nor any director in his department shall be financially interested in any bank or insurance corporation coming under his control, and must have had five years experience in banking or have served for that length of time in the banking department of some state. Neither the commissioner of law enforcement, nor any of his assistants shall be licensed to exercise or practice any trade or profession regulated by that department. The director of highways must be a civil engineer of not less than five years' experience in road building. Other qualifications of a similar character are required of other commissioners.

Another notable advance for the state is provided among the duties of the commissioner of finance, who is required to prescribe and require the installation of a uniform system of bookkeeping, accounting and reporting and to supervise the preparation of the state budget.

"MOVIES" FOR CIVIC CAMPAIGNS

BY GEORGE BREWSTER GALLUP

Field Secretary Community Motion Picture Bureau, New York

I

Unified sentiment within a community with regard to needed improvements would produce a peaceful revolution. In any community of a few thousand people the entire resources of economic and engineering progress up to the present hour could be commanded for the best uses of the greatest number. The difficulty of bringing about unified sentiment with regard to necessary improvements in a community is the stumbling block in the way of leaders. The motion picture promises to reduce the measure of this difficulty.

A community of ten thousand, for example, can assemble through motion pictures the record of the best things accomplished anywhere in the world that could be applied to their own use. Where it would be difficult for an orator or lecturer to make some of the problems clear, the picture does it by showing actual facts. Many people will not read circulars and advertisements about projected plans for the improvement of their town or city, but they will look at pictures which show in the most interesting and dramatic fashion what some other city has accomplished. Every kind of improvement in transportation, filtration, garbage disposal, better housing—in short, all the new assets which twentieth century knowledge will enable a town to acquire, can be shown on the films with dramatic and interesting stories to give alluring and vivid interest to the exhibition.

The films assemble all the evidence; they present it in their most picturesque and realistic fashion; they make it easy of understanding. Women and children, as well as men, can very readily grasp the significance of better playgrounds and parks, better schoolhouses, better public baths and athletic fields, when presented with a motion picture. By this means they take journeys to places of which they have read where intelligent progressive communities of conservative hard-headed American citizens have justified the expenditure of public funds by producing improvements that draw large dividends in the long run.

II

It is possible also by this method to show something very difficult to present simply in speech or in written words, and that is the growth and prosperity that comes from fitting out a city with the right kind of furniture in the shape of well planned improvements.

The influence of the right sort of planning, honestly and scientifically carried out, spreads over a wide area. This is reflected in the growth of values within the radius which measures the limits of the influence of the new improvement. From this growth in real values, increased greatly by the stimulus of the improvements, comes the return to the city, at regular rates of taxation, of the money to pay the carrying costs.

These carrying costs are interest and amortization charges on the bonds voted by an enlightened community to make improvements.

Motion pictures make it possible to assemble the evidence necessary to show that this result actually takes place. In scores of American cities where grand scale improvements have been made, it is possible to show the effect in improvements made by private capital throughout the area affected. The captions accompanying the pictures show in simple language the actual financial results. If a city makes improvements from public funds that stimulate private capital to new investments valued at three times the public expenditure, the normal average rate of taxation in American cities will produce the new revenue necessary to pay interest and amortization charges on the bonds. It is a simple problem after all in arithmetic, but pretty hard to prove except through motion pictures in such a fashion that the average voter can be readily convinced of its truth.

III

Every community in America that has completed some successful public improvement worth while exhibiting for the encouragement of fellow communities ought to have the record put into motion pictures. This should be done under the direction of some one who knows how to bring out the social values produced by the new municipal undertakings.

The pictures should be full of human interest. They should include citizens going about their daily tasks and enjoying the benefits thus afforded them, but almost every city has amongst its enlightened leaders of municipal forward-looking planning at least one or two persons capable of supervising the production of the right kind of motion picture records of all the improvements undertaken. These really ought to include pictures taken at various stages of the planning and carrying out of the plans. Wherever a community puts itself on record artistically through this sort of visual evidence, it would find a ready outlet and a constantly increasing demand for copies of its films. Probably the sale of duplicates at a reasonable price would return a sufficient amount to pay the cost of producing the film negative.

WELFARE WORK ENTERS A NEW ERA UNDER THE ILLINOIS REORGANIZATION

BY A. L. BOWEN

Superintendent of Charities; Department of Public Welfare

I

When the executive branch of the state government of Illinois underwent its radical change on July 1, 1917, a new meaning and a powerful impetus were given to public welfare work in this state.

The radical changes are embodied in that constructive statute known as the civil administrative code of Illinois. This act consolidated into nine departments, each with a director in charge, all of the functions of the executive branch of the government. These functions had been operating through 125 commissions and boards, many of which overlapped, some of which were doing a small amount of work at ridiculously high cost, and all of which were working through authority delegated to subordinates.

This act furnishes the governor a cabinet of nine directors through whom he may keep in touch with every activity.

Each in his sphere is a responsible official. Boards and commissions, excepting a few which are purely advisory in character, are no longer known in this state.

II

The consequent simplification of government produced some very remarkable results.

The welfare work of the state was concentrated in the department of public welfare, the director of which is Charles H. Thorne, a successful business man of large affairs who also possesses the required social viewpoint.

The director was provided with a staff consisting of assistant director, fiscal supervisor, superintendent of charitable institutions, superintendent of prisons and reformatories, superintendent of pardons and parole, an alienist and a criminologist. All, including the director, are full time officials.

The department was charged with the administration and management of the nineteen state charitable institutions, including the state hospitals for nervous and mental disease, correctional schools for juvenile delinquents, colonies for feeble-minded and epileptic, and the three penal institutions. It was also charged with the administration of the pardon and parole laws and with supervision and direction of children's institutions as well as the placement of children in foster homes.

Excepting the alienist and criminologist who are advisors, the staff members are administrative officers. But in the last analysis the director is the responsible head of the organization and upon him depends the success of the Department. In other words Illinois is the first state to recognize the modern business principle embodied in unified authority.

III

This plan has been in operation now for almost two years, carrying the work through the crisis of a war period when little progress of any kind was to be expected.

Many improvements have been introduced in the hospital service, among them being:

Complete mental and physical examinations of every patient at least once each six months.

Introduction of occupational therapy on an extensive basis, with skilled people in charge, in the state hospitals and colonies for feeble-minded.

The opening of two new institutions which were delivered to the department almost ready for occupancy—a feat of some importance considering the shortage of labor, medical men and the almost total absence of supplies needed for the finishing touches of construction. One is a state hospital for insane, the other a colony for epileptics.

Placement of dependent children in family homes from the state's orphanage.

Organization of a training school in psychiatric nursing with facilities for postgraduate work. The course is three years with registration at graduation. Its object is to train registered nurses in the special problems of nursing the mentally sick.

The elimination of the last vestiges of politics from the administration of these institutions and laws.

Promotion to superintendencies of men who had made good in the lower ranks.

A reorganization of the courses of study in the state schools for the Blind and the Deaf.

The institution of the system of industrial parole for prisoners who would work in Illinois industries engaged in manufacture of war supplies. Under this system 900 men were paroled from the three prisons, supervised and cared for by the state, who rendered excellent service to the government.

The elimination of attorneys an political influence in the hearing o parole cases.

The creation of the Juvenile psychopathic institute to study juvenil delinquency and to serve courts in th disposition of juvenile cases of ever character.

IV

The department in addition to thes policies which have been establishe successfully despite the most discouraging conditions that a state servic ever faced, has submitted to the sittin legislature a program including:

The creation of a second colony fo feeble-minded.

The erection of new plant for th Illinois Charitable Eye and Ear Infirmary, a surgical institute for cripple children, a state psychopathic institute and hospital in Chicago and the buildings for the State farm for misdemeanants.

The doubling of the forces of parole officers, inspectors of institutions, social service workers and home visitors.

A children's code which connects the defects in the already excellent children's laws of Illinois.

The department asks the general assembly to increase the funds for research work from a few thousand dollars to more than $200,000 for the biennium. If this feature of the program is adopted Illinois will be able to enter upon research work on a firm and broad foundation.

The completion of the new state prison at Lockport which has been under way for several years. This prison is to cost about five million dollars and the plans embody the very latest ideas in penology.

THE DELAWARE SURVEY

BY CHESTER C. MAXEY
Of the New York Bureau of Municipal Research

The most comprehensive piece of self-appraisement undertaken during the war is the combination survey of the state government, the three counties and the principal municipal government of Delaware recently conducted by the Delaware State Council of Defense, in preparation for reconstruction. :: :: :: :: :: :: ::

WAR emergencies placed an unusual strain upon the governmental institutions of Delaware.

The city of Wilmington is the seat of the largest explosives industry in this country, and the tremendous and swift expansion of this industry following the outbreak of war added 25 or 30 thousand people to the population of Wilmington almost over night. The city was utterly unprepared to cope with the problems which followed the advent of this transient multitude. Housing accommodations were grossly inadequate, and in a short time the health situation became critical. The state council of defense decided that a survey of the health problem ought to be made before taking definite action and called upon Dr. Carl E. McCombs, public health specialist of the New York Bureau of Municipal Research, to make the study. Dr. McCombs' report was delivered in July, 1918, and became the basis of emergency measures on the part of the state council of defense.

The state council of defense then deemed it essential to have a survey of all of the governmental institutions of the state, the three counties, and the city of Wilmington. At that time it was commonly believed that the war would continue for another year and would make unprecedented demands upon political institutions. Moreover, it was clear even then that problems of post-bellum readjustment probably would tax governmental agencies quite as severely as those arising directly out of the war. It seemed prudent, therefore, to determine whether alterations in the present forms and procedure of government were necessary, and if so what were the standards which should be applied in revising them. Accordingly the New York Bureau of Municipal Research was requested to undertake the task of surveying Delaware's state and local political institutions and of preparing a report to be laid before the 1919 session of the general assembly.

Field studies and investigations in Delaware were begun in September, 1918, the state and county survey being the first work undertaken. Investigators of the staff of the Bureau were in Delaware from the first of September to the middle of November; and the report on the governmental institutions of the state and three counties was delivered about a month later. Field investigations in the city of Wilmington were begun late in December, 1918, and continued through the following January and part of February. The report was delivered about the middle of March.

"A CHAOTIC JUMBLE"

The findings of the survey were astounding, even to well-informed citizens of Delware who thought they knew their state thoroughly. The political institutions of Delaware have not been thoroughly overhauled since 1792. The constitutions of 1831 and 1897 did of course make many alterations, but in reality these were simply patches upon an old garment. Consequently the present system of government in Delaware represents an accumulation of débris which has been dashed up by the political tides of more than a century and a quarter. It is utterly without system, symmetry, and simplicity—a chaotic jumble of anachronisms, criss-crossed functions, illogical relationships, and unscientific methods.

The state government was found to possess 117 administrative agencies—6 elected by the people, 83 appointed by the governor (usually with the consent of the state senate), 2 appointed by the judges of the superior court, 12 appointed by boards or administrative agencies other than the governor, and 14 acting *ex-officio*. These agencies of administration are not only far too many for a small state like Delaware, but are absolutely uncorrelated in their functioning. They compete, conflict, overlap, and pull at cross-purposes. And naturally their procedure and business methods are archaic, inefficient, and unduly expensive.

The counties, it was found, have from 25 to 50 administrative agencies each, which not only are independent of one another but also are independent of any central directing and controlling authority. The results are very much the same as in the state. Friction, duplication, inefficiency, and extravagance abound. Improved methods of transacting public business are disregarded or unknown, because responsibility for results is both confused and diffused.

In the city of Wilmington the government was found to be even more of a jig-saw puzzle than in the state and counties. There are 40 distinct and detached organization units with virtually no attempt to correlate them functionally. Eight of them are responsible to the voters of the city, 8 are responsible to the mayor and council jointly, 11 are responsible to the council alone, 5 are responsible to the governor of the state, 4 are responsible to the associate judge of the superior court residing in New Castle county, 3 are *ex-officio*, and 1 is responsible to persons entirely outside of the government. The consequent disorder and duplication of functions is easy to imagine; and it is accentuated by the fact that the administrative agencies of New Castle county largely overlap those of Wilmington.

SIMPLIFICATION

Obviously the first and most emphatic recommendation to be made for improving government in Delaware was to point the way to a complete reorganization. This was done in the reports submitted to the Delaware state council of defense. For the state it was suggested that the present system be supplanted by a very simple organization consisting of 9 executive departments directly responsible to the governor. These 9 departments, it was shown, could easily transact the duties now reposed in the multifarious boards, commissions, and independent officers.

For the counties reorganization along the lines of the commission-manager or the commission plan was advised. It was pointed out that 4 or 5 departments properly organized under a manager or a small commission could handle all of the work that is now apportioned among the oversupply of self-sufficient officers and boards.

For the city of Wilmington simplification according to the principles of the manager plan or the independent mayor plan was recommended. It was shown that 7 departments under the headship of a manager or mayor would serve the city better and more cheaply than the present hydra-headed monstrosity. It was also recommended that rural New Castle county and the city of Wilmington be divorced, and that a consolidated city-county government be set up in Wilmington. Another important recommendation was that of a grant of larger powers of self-government to Wilmington, which are urgently needed because the experience of the city under the tutelage of the state legislature has been notably unhappy.

The survey did not confine itself altogether to organization. Studies were made of the procedure and methods of collecting revenues and disbursing funds, of purchasing, of accounting, of budget making, of the management of institutions, and of the performance of governmental services. Expository discussions explaining improved methods of carrying on these activities were incorporated in the reports. In addition to the financial topics these discussions included such subjects as public works, water supply, public health, public safety in the city; highways, almshouses, and jails, in the counties; labor and industry, public highways, public health, public welfare institutions, agriculture and conservation in the state.

THE PROSPECTS FOR ADOPTION

The reports have been laid before the general assembly of the state and Governor Townsend has requested the creation of a reconstruction commission to go over the reports and use them as the basis of recommendations for concrete legislative action. If the governor's request shall be granted,* Delaware will be a step in advance of her sister states with her reconstruction program; for most of the states which have undertaken anything in the way of reconstruction are yet in the survey stage; and it is a high tribute to the prescience of the Delaware state council of defense that it reversed the ancient maxim and prepared for peace in time of war.

* Since this article was written a bill creating the reconstruction commission desired by the governor has passed the Delaware General Assembly.

THE NEXT PROBLEM IN CITY ZONING

BY FRANCIS P. SLOAN

New York City is "zoned" and in a residential zone, for instance, it is unlawful hereafter to build a store or factory. But stores or factories that were there before the law was passed, have not yet been dealt with and constitute a complex problem of advanced city planning.

Most of the districting or "zoning" that has been done under city plan movements is designed to regulate the location of new buildings and new occupancies, but relegates the consideration of existing non-conforming occupancies to a place of minor importance. By existing non-conforming occupancies is meant those uses or occupancies of buildings or other premises that do not comply with the requirements of a newly enacted districting or zoning law and that would not be allowed to come into their present locations if they did not already exist there.

To be effective, "use districts" as they are called in New York, must generally be so large that they embrace areas containing some sporadic development—some store among good residences or a factory in a business or home section. These invaders are very common in every city; they are the evil that has made zoning necessary. And just because they are so numerous and so dangerous, they should be given at least as much attention as the new uses and occupancies the future is expected to bring. Unless wisely regulated, they will become greater nuisances because the restriction on neighboring property intensifies their use. And yet unless they are permitted some freedom, the cry of confiscation may endanger the whole zoning system.

A city grows not only by the addition of new buildings but also by the alteration of its old buildings, by improvements thereto and by changes in their tenancy. Usually the alterations and changes of occupancy outnumber the new buildings.

DIFFICULT CONUNDRUMS

Where a new building is proposed there is usually only one question under a zone law, viz., "Is this new occupancy permitted in this district?" But where an existing non-conforming occupancy is to be changed, there are many questions to be decided. "Into what classification does the existing occupancy fall? May it be extended throughout the building? May it be extended by enlarging the building? May a new building be erected for it? May structural alterations be made if it is continued? May it be changed to this? Or to that? And if changed, are extensions or structural alterations to be permitted?"

A districting law may conceivably exclude all new business from a residence district,—thus treating all business alike and it may exclude all new industries from a business district, thus treating all industry alike. But if in a high class residence section there is a retail drug store—a business—and if the zone plan is drawn on lines that permit of some flexibility in the interchange of non-conforming uses, an injustice would be done to the owners of the conforming residences if the existing business—the retail drug store—were permitted to be changed into any other business—a wholesale grocery store, for instance. An equal injustice would be done to a high class business section if a wholesale bakery—an industry—were permitted to be changed into any other industry—a glue factory, for example.

The broad classification that will serve admirably to exclude new uses will not do to govern existing non-conforming occupancies. Four questions that do not arise when a new building is to be constructed immediately appear when a change of an existing use is considered. They are:

1st. May the existing occupancy be continued?
2d. May it be extended?
3d. May it be changed to another use or occupancy?
4th. May structural alterations be permitted
    (a) for continuance?
    (b) for extension?
    (c) for change?

THE SOLUTION: GRADING

If the full benefits of a good zone plan are to be reaped, existing uses must be graded. Generally a zone plan will not be so drastic as to require the eviction of existing non-conforming occupancies, but will permit them to be continued under certain conditions and to be changed within certain limits. If wisely drawn, such a plan will weed out, little by little, the offending occupancies. It will accomplish its object quietly and economically without violent readjustments and losses.

The system of grading of existing occupancies may be compared to a series of steps, at the top of which would be the most offensive use or class of use and at the bottom the least offensive. With such a series tabulated, it would require but few words to draft a provision to permit an interchange among the uses on any step or permit a change of a use on one step with a use on a step below. Such a provision, prohibiting an occupancy to go up a step in the scale of nuisance values and encouraging improvement whenever a change is made, would be in full accord with the spirit of effective zoning.

Such is the ideal—to be worked out by each community for itself and for each of its zones. But as is true of all ideals, it is beset by certain cold hard facts that cannot be ignored and certain problems that cannot go unsolved.

AWKWARD CASES

The very character of the medium in which the city planner doing zoning must work is unsuited to the limitations of a set or standard classification. It may be described in one word as change—change with time, change with place, change with management.

A process of manufacture may be obnoxious to-day but may be freed to-morrow of its disagreeable and dangerous features by some improvement in the art. A trade that is a nuisance in one place may be appropriate in another. Under one method of management, it may be offensive to all the organs of sense; under another, quite harmless. Considered in the absolute, there is no nuisance feature that may not be made inoffensive. Smoke, dust, odor, gas and even noise may all be brought under control. They become nuisances through waste and inefficiency.

Because occupancies or uses are so

often dressed in accidental characteristics, it is important that the classifying or grading be done according to essentials only and that the grading be susceptible of change to keep pace with change of fact. A few border-line cases that have come up for decision in the administration of New York city's building zone law will emphasize the importance of grading according to principal and not secondary uses.

For instance, in a residence district, the New York zone law permits the erection of hotels having 30 or more sleeping rooms. Question: Is such a hotel permitted to operate a restaurant, a cloak room, a barber shop, a billard room, etc.?

Philanthropic and eleemosynary institutions are also permitted in a residence district. Question: Should a home for the blind be permitted to operate a printing and embossing plant to manufacture books for the blind?

A garage for five cars or less is also permitted in a residence district provided it is the accessory of a residence on the same lot. Question: Does this permit the erection of a building to house four cars on the ground floor and providing a smaller floor area in the second story for dwelling purposes?

Should a large clothing factory be classified with regard to noise, with a sawmill, just because it operates a saw in its basement for the occasional cutting of wood for boxing its shipments?

COMBINATION CASES

The grading should draw a distinction between chief and accessory uses, between those that are important and those that are not. There is practically no establishment that does not, upon an analysis of all its operations, seem to fall within several classes at once. The jeweler may appear to operate a foundry and a machine shop because he melts and casts metals he grinds, turns, bores, tempers an plates; but he should not therefore b put in the same class as those establishments that emit smoke, dust an gas and rend the air with discordan noises.

Each community must do its gradin in accordance with its special needs It must determine how long it will permit its non-conforming occupancies t exist. If their life is to be short, it wil permit no structural alterations of th building housing them. It must determine whether they may be extende throughout the building or into another building. It must define th limits within which one use may b changed into another. The order o nuisance values, appropriate in a manufacturing or mining city might not b appropriate for a town in a farmin center.

FOUR GRADES

At the head of the list for a city o large size appear generally those industries which are most obnoxious o account of the emission of noise, dust odor or gas. Next in order might b placed the storage or handling of materials that are offensive for like reasons A third class of industry might includ manufacturing which, as a process, i unobjectionable but which, because o its size, carting, etc., should not b permitted in a restricted district. I would usually have no relation, as producer, to its immediate neighborhood.

There is a fourth class of industry etc., which would fall into one of th above classes if we considered only it nuisance features. It may be, however, of local necessity. It may be garage or stable, for instance, offensiv by reason of noise and odor and a objectionable as a slaughter house o equal size. But the garage or stabl may be needed as a convenience in the neighborhood, while the slaughter house might as well be a mile away. In this class of local conveniences might also be included the small shops conducted by mechanics for the repair of buildings, furniture, etc.

Under the head of business all kinds of new trade occupancies might be excluded from a residence zone indiscriminately but finer distinctions must be drawn between classes of existing uses. In a first group of the more objectionable classes of uses not conforming to the requirements of a residence district might be put the wholesalers, the storage warehouse, those stores that have some manufacturing accessory to them and stores selling products offensive by reason of dust or odor. In a second group might be placed other business occupancies, especially those that serve their immediate localities.

In all grading of occupancies according to nuisance value or inappropriateness, there should be kept in mind the question of local necessity. More leniency may be shown those occupancies which are a convenience to a neighborhood than those that serve a distant population.

The method of classification here outlined may appear to lack simplicity. No doubt simplicity is much to be desired and should be a characteristic of every zone law but simplicity in wording may involve complexity in thought—may lead to endless doubt. In the real estate field nothing is so deadly as doubt. It enervates the whole life of a community. It depreciates values, it hampers sales, it makes mortgage loans unobtainable.

NEW VISIONS IN PUBLIC RECREATION

BY GEORGE A. BELLAMY

Representing the War and Navy Commissions on Training Camp Activities

A review of the new utterances of various recreational experts, and the stimulating possibilities disclosed by the experience of the War Camp Community Service. :: :: :: :: :: ::

The recreational literature of the war period has been a real contribution towards understanding the national soul in its making. The war has demonstrated to all the great fighting nations that they cannot have victorious armies while soldiers dissipate when off duty. These same nations, at fearful cost in character of youth and adult, have seen the waves of crime sweep over their cities as the normal use of leisure and play time has broken down. These conditions have resulted in compulsory study of the use of leisure that our armies may be fit and our cities virtuous. With this in mind we will consider in this review whatever literature in the last few months has directly contributed to this end.

I

Mr. Sizer in "The Commercialization of Leisure"[1] dwells on a phase of recreation altogether too unfamiliar as yet even to the many to whom recreation is a vital problem. The history of recreation and the part it has played in civilization and the development of the race should illuminate our present problems. The desire for recreation has been strong in every civilization and in so far as a nation has capitalized or commercialized it, to just that degree has that nation been strong or weak of character. Among the Greeks recreation was only for the males of the leisure class. While it was free from the stigma of commercialism and professionalism, it was not a factor of universal well-being since it was to be had only by the few. Roman civilization ushers in an era of professionalism in athletics as well as in politics, but with the Middle Ages recreation comes into its own. These were the days of jousts and tournaments, of pageants and masques on the village green. Then came the reaction when the pendulum swung to the opposite extreme, the asceticism of the Puritans. Playhouses and pleasure fields were abandoned. This was the spirit of Puritanism brought by our ancestors to America. To the early settlers on American soil, work and religion were games so engrossing that they had neither time nor inclination for others. The struggle for existence gradually lessened. Puritanism, by its failure to progress with the interests of the time, grew less vital in the lives of the people and, as a result of its policy of repression, pleasure and the wholesome means of procuring it was driven from the control of good citizens to traffickers in the pursuits of leisure and finally to commercialized vice. An isolated few began to see the deplorable results without, however, analyzing the causes from which they had sprung. These few, acting on the assumption that once pleasure and vice were overthrown, people would again turn their minds to things eternal, established countless correctional agencies. Close in their wake followed the institutional church and the Y. M. C. A., who argue that such agencies did not arrive on the scene until the adolescent with his surplus energy and desire for life was spiritually dead. So they attempt resuscitation by administering the pill of religion sugar-coated with the swimming pool and gymnasium. Thus they overlook the fact that games and play stimulate expression of the instinct religion for they develop idealism, virtue, a sense of honor, justice and right relationships which crystallize into the ultimate goal, real character.

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[1] "The Commercialization of Leisure," by James Peyton Sizer, the Gorham Press, Boston. 75 cents.

The author's characterization of recreation as spontaneous, commercial, and communal affords a definite contribution to our understanding of the place of recreation in the life of the community.

II

Mr. Gates' book "Recreation and the Church"[2] encourages us in the hope that the church is broadening in its interests so that it can work energetically with the vital forces in the community. The author treats play as a factor in moral and religious education. It should be used by the church to render its proper service. Vital problems such as the co-operation of churches and the education of church members not yet awake to the recreational needs of youth are intelligently handled.

III

It would be well if all whose souls have been racked with the pains of this world's conflict could turn to Miss Burleigh's "Community Theater"[3] and to Percy Mackaye's essay on "Community Drama."[4] War is unneighborliness developed to the ^{n}th degree. Community drama seeks the highest development of neighborliness. Having its origin in the more formal and conservative presentation of dramatic art, it becomes a positive spiritual force when the people make it their own as participants and creators. In this it is analogous to community music and it is no less true of community drama than of community music that, as Mr. Farwell has pointed out in an issue of this magazine, a law of crowd psychology provides for the short circuiting of an educational process by a spiritual one. The actors in a community masque are living the drama. Though they have had no previous education for it, they are in the truest sense creators of their art. It is gratifying to note that in this time of international struggles—it may be because of them—the people are beginning to come into their own rich heritage through community music and drama—are rapidly learning to plant their feet firmly and insist on the fulfillment of the promise "Every place that the sole of your foot shall tread upon that have I given you."

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[2] "Recreation and the Church," by Herbert Wright Gates, University of Chicago Press, Chicago. $1.00.

[3] "The Community Theater," by Louise Burleigh, Little, Brown and Company, Boston. $1.50.

The immediate forerunner of community drama was of course community play crystallized in the playground now incorporated in the municipal program of so many of our cities. Through developmental stages of team play, folk dancing and pageantry we come logically to the community masque which points the way to the community theater, the hope of the future. The underlying principle of them all is the "joy of play, of co-operation, of creation and the expression of joy through art." This may be manifested by a community in a community "sing" as well as in a community pageant, in the community Christmas or the Fourth of July celebration. Each breathes the spirit of neighborliness and welds the community more closely together.

The little theaters springing up over the country are evidence of the fact that the arts of the theater permit a full and varied expression of this interest. With this in mind we must premise that the little theater be a democratic institution in that it equalizes opportunity for all, that it bear within itself the faculty of perpetuating and perfecting itself. A compelling spiritual force expressed in dramatic art with the passionate zeal of religious fervor has given us the truest community theater, the Passion Play of Oberammergau. Here actors and audience are united in the expression of a holy ideal. It is because the art of the theater partakes of the emotional idealism of the church without sharing its dogmatic limitations that it becomes so readily the unifying interest in a diverse community.

IV

Percy Mackaye in his little volume "Community Drama" pleads for the development of the "international mind" which is only another name for the neighborly mind. This is the outgrowth of the play instinct of the child and if it is nurtured through successive generations should play a large part in eliminating the unneighborliness which produces war. The community drama with its ideal of neighborliness and creative participation must convert competition into co-operation and create in every community habits of the international mind. Thus is mustered in each community the volunteer army of peace.

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[4] "Community Drama," by Percy Mackaye, Houghton Mifflin Company, Boston and New York. 50 cents.

Since out-door theaters should be the shrines of community drama, let me call attention to Frank A. Waugh's book, "Outdoor Theaters."[5] Photographs and detail sketches of successful theaters such as Professor Koch's "Bankside" are given. Problems of design and questions of use are discussed though not fully treated. It is high time for the municipality to develop vision and insight into the possibilities of municipal interpretation and growth through the use of civic pageantry and civic theaters. Dramatic art is more democratic abroad and it is to be hoped that the ideal of community drama which is now the enterprise of individuals will be stimulated here until it becomes the movement of municipalities.

"The Play Movement and its Significance"[6] is another contribution from the pen of Henry S. Curtis to the literature of recreation. This book is broad and accurate in its information; its suggestions are concretely helpful and its analysis discriminating. The field covered is so broad that the treatment of any one phase of the subject is necessarily brief.

Mr. Curtis's discussion of the rural community and its recreational needs shows that the school has outstripped the church on the whole in ministering socially to the rural district and so the leadership in recreation for the community falls largely on the teacher in her social center school which must again become the consolidated school of earlier days adapted to present needs. Give the farmers the instigation and opportunity for getting together and many of their problems such as good roads, better schools, agricultural credit, etc., will become simpler fo their discussion of them.

Two chapters of special significanc are those concerned with public recreation and municipal playgrounds Proper facilities for a city's recreatio are discussed and co-ordinated unde the supervision of the director of recreation who is in the author's opinion on of the most important factors in city's moral growth.

As to the function of the municipa playground in general it may be sai that it supplements the school playground. In so far as it assists in givin children requisites for a well rounde education, *i.e.*, health and social habits it should be under school authorities Beyond that, however, the municipa playground must occupy leisure tim outside of school time and provide fo the leisure of adults as well. Thi function is not primarily educationa but what is quite as important to th well-being of the city, recreational, an thus places the municipal playgroun in the city's department of recreation

V

Let no one who is not open-minde read "The Play Way."[7] Such a person would dismiss it briefly with th sceptic's sneer. To him who is earnestly seeking and following the lead o truth wherever found, "The Play Way will appear as a welcome illumination It represents an ideal in education an in that respect is comparable with Mr Lee's "Play in Education." It i English in subject matter and setting The author is master in a boys' schoo in England, who was necessitated, b the fortunes of war, to conclude hurriedly in France the description of th "Play Way" so successfully employe by him in England. An ideal may be as universal as we choose to make it and certainly Mr. Cook's conception deserves sympathetic consideration and emulation wherever children are to be developed into responsible citizens. Is there a group of boys in school, playground or settlement who would not respond to the challenge of a miniature Playtown whose rivers and bridges, roads and buildings offer countless problems for solution to the youthful surveyor, engineer or carpenter? This town, scarcely four yards by fourteen, built, peopled and operated by the boys themselves—in play, but interesting play—permits the tackling of most any municipal problem, the instilling of vital social and civic ideals. Here indeed, as one onlooker observed, is citizenship in the concrete.

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[5] "Outdoor Theaters," by Frank A. Waugh, The Gorham Press, Boston. $2.50.

[6] "The Play Movement and its Significance," by Henry S. Curtis, Ph.D., The Macmillan Company, New York. $1.50.

[7] "The Play Way," by H. Caldwell Cook, M A. Oxon, Frederick Stokes Company, Ne York. $3.00.

Can anything more heretical be imagined than an entire class room lecture period managed from first to last by the pupils? And yet such is the case in the "Play Way" school. A few formal rules are adhered to and the scheme grows with experience, but the momentum is given by the "Littlemen" themselves whenever they suggest such an innovation as marking the lecturer for style as well as for interest or that questions and criticisms be instituted. Here the pupils are constantly balancing values and making decisions and consequently themselves acquiring the development hitherto usurped by the orthodox pedagogue.

The dramatic arts quite naturally contribute their quota to the development of the "Play Way" pupil for the real inspiration of true dramatics has been capitalized. Those interested in the spread of the little theater will greet with enthusiasm what Mr. Cook has to say on those excellent twin vehicles of self expression, miming and ballad making, as they have been used to serve the author's purpose.

Indeed all is grist that comes to his mill! What a wealth of childhood's fancy and imagination he has captured in his chapter on Ilonds and Chap Books! What child has not mentally at least drawn his "Treasure Island" and peopled it with creatures of his fancy, fairies and bugaboos? To be permitted, nay, encouraged, by the teacher to the point of drawing one's "Ilond" and then writing a make-believe story for it and calling it a chap book—this is, indeed, the very essence of play which directed becomes education. Delightful color sketches of Ilonds are included and specimens of chap books that make one long for the land of make-believe with its fairy history.

The elaboration of sound educational maxims and their interpretation through the "Play Way" constitute the author's explanation of his method. A correlation of a child's education with the full program of citizenship is the thing striven for. To this end the needs of the world in which he is to live must be considered and so politics, not a gentlemanly civics, but red-blooded politics dealing with poverty and unemployment, women in industry and overcrowded cities, would be one of the first subjects introduced into an ideal "Play Way" school. What, after all, is the "Play Way" but an "endeavor to achieve right conduct in a true blend of the functioning of all man's powers?" Surely we may trust that the time is not far distant when as the author says "education must recognize a closer connection between the life and work of the 'Littlemen' at their desks and the life and work of their fathers in offices, behind counters, in fields, factories and workshops."

VI

Another evidence of the growing awakening to the importance of the proper utilization of leisure is given in the articles our magazines have been publishing. Perhaps 150 articles dealing with the leisure time of the army and with the correlated work of the commission on training camp activities, have found space since the war in the columns of such magazines as *Scribner's*, *The Independent*, *The City Builder*, *The World's Work*, *The Modern City* and others. A factor hitherto important in the vigorous life becomes vital when war exacts its utmost toll of service from that life. And so while it was advantageous that the civilian employ his leisure profitably, it became indispensable that the soldier's leisure be a constructive, energizing force. The hard-won liberty of our fathers, the democratic institutions of our pride would not long have been defended against vandalism run amuck by a dissolute army of petty idlers, saloon loungers and vice-mongers. Your victorious army must be an army mentally as well as physically fit.

America set out in this war to create a victorious army. To this end was developed what has been called the non-military branch of the service. It might aptly have been called the pre-military branch of the service, the branch which lays the foundation in a sound physique, an alert intellect and a happy spirit for the intensive training which took the men "over the top." Results somewhat similar were obtained through the religious zeal of Cromwell's famous army and again through the vice-repressive policy of the Japanese army in the Russian Japanese War. Never in history has it been done as the United States has done it. One of the far-reaching results of the war, influencing greatly our national perpetuity and well-being and in which history will forever recognize Secretary Baker's keen moral and social vision was his practical program developed through the war camp community service. When this army which was to represent and carry out the highest ideals of civilization was mustered it became evident that if it was to succeed in its mission it must be surrounded with an environment of ideals and culture, that it must be so permeated with these ideals that they would serve as "the invisible armor" against the attacks of vice more insidious and quite as fatal as the wounds of the enemy. Thus the constructive as well as the repressive machinery of the commission on training camp activities was set in motion. The articles published indicate that at least 600 municipalities organized in a co-operative endeavor to help win the first battle of the soldiers, the battle with vice, here at home, and thus sent forth an army unscathed to victorious combat overseas.

VII

But what happened to these cities meanwhile? What has it meant to the municipality to have its community sings and festivals with the men in khaki; to have its homes welcome the homeless soldiers; to have its exclusive clubs open their doors to "the boys"; to have its churches united in their efforts to entertain the soldiers? What could it mean, when all creeds, all political parties, all civic, social and fraternal organizations co-operated to use every resource within their possession for the common good but an increased realization of community responsibility, not alone to the soldier group camped near by, but to its citizens as well? And close in the wake of this newly aroused civic consciousness will follow the strength and sympathetic understanding which comes of cooperation and which must play so large a part in our work of reconstruction.

THE FATE OF THE FIVE-CENT-FARE. II

THE NEW TRAMWAYS CONTRACT IN MONTREAL

BY DELOS F. WILCOX

Chairman of the National Municipal League's Committee on Franchises

The first article under this title appeared in the November issue and others will follow every month hereafter, covering the situation in various American cities. Montreal's solution, calling for service-at-cost plus a bonus for good service, is novel and ingenious though legally hampered.

A FEW years ago when "service-at-cost" was producing 3-cent fares in Cleveland, it was anathema to the street railway interests of the country. Now that it may produce 6-cent, 7-cent or 8-cent fares if put into effect in any given city, they have made it the shibboleth of fair and just regulation. It is a poor rule that does not work both ways, and so, though service-at-cost seems to be going against the public just now, it is still as worthy of consideration as it was six or eight years ago.

Cleveland, after nine years of experience with the Tayler service-at-cost plan, has lately been talking of municipal ownership. Boston, a few months ago, inaugurated the service-at-cost plan under a scheme of private ownership with public operation. The new Montreal franchise contract is notable in that it adapts the service-at-cost plan to private ownership and operation without the alternative, until the expiration of the contract in 1953, of either public ownership or public operation.

Montreal with its immediate environs is a community about as large as Cleveland or St. Louis. Its tramways system serves not only the city proper but also a number of towns and villages on the outskirts and two smaller cities—Westmount and Outermont—which are entirely enclosed within the city of Montreal.

LEGISLATION PREPARATORY TO THE NEW CONTRACT

In 1911 the Montreal Tramways company obtained from the Quebec legislature a charter running for a period of 42 years and a franchise to acquire, maintain and operate tramways within the city of Montreal as it then existed or as it might later be extended. This grant was conditioned, however, upon the making of a contract between the city and the company to determine the duration of the franchise and the conditions with which the company would have to comply with respect to the operation, maintenance, equipment, establishment and extension of routes in the city, the rates of fare, the percentages of gross earnings to be paid the city, the share of the cost of paving and maintaining the streets and of removing the snow to be paid by the company and such other terms and conditions as the city might deem it advisable to impose. The act prescribed that any differences between the city and the company in the interpretation of the contemplated contract should be submitted to the Quebec public utilities commission for final settlement.

Having received this charter from the legislature and having acquired the property of the Montreal street railway company, the Tramways company opened negotiations with the city authorities for a new contract. These negotiations were unsuccessful and resulted at one time in a serious civic scandal. No settlement having been effected, the legislature two years ago took the matter entirely out of the hands of the constituted civic authorities of the city of Montreal and appointed a special commission of five members, residents of Montreal or vicinity, and directed it to draw up the contract between the city and the company. The commission was directed to "proceed with all possible diligence" to carry out the objects for which it was constituted and was authorized to "employ experts and any other persons" whose services it might deem necessary or useful. It was also authorized to inquire into the facts over which its jurisdiction extended, "by all means suitable for enlightening it." The contract drawn up by the commission was to come into force after being signed by the commission or by a majority of its members on the day that it should be signed by the Tramways company. This contract was to bind the company and the city for a period of 36 years from that date except as it might be changed from time to time by mutual consent of the parties, and was to have the effect of canceling and replacing all other contracts between the parties for similar objects relating to the same territory. The act further prescribed that at the end of 36 years or at the expiration of any subsequent period of five years, the city should have the right upon due notice "to appropriate for itself the railway of the said company as well as the immovables and dependencies, plant and cars belonging to it and necessary for the operation of the said railway, by paying the value thereof to be fixed by arbitrators and 10 per cent over and above the estimate."

LIMITATIONS ON THE TRAMWAYS COMMISSION'S POWERS

It will be seen from the above that the Tramways commission was vested with extraordinary powers. It was not required to consult the civic authorities or the people of Montreal with respect to the terms of the contract to be drafted by it and was not even required to give public hearings for the purpose of receiving suggestions and criticisms. Its powers were limited only by the provisions of the statute and by the necessity of securing the Tramways company's approval of its work.

As to the statutory limitations, they were few but important. Through an apparent oversight the act did not confer upon the commission any power to bind the municipalities served by the company other than the city of Montreal. However, the commission, as soon as it had studied the problem, saw the necessity of dealing with the metropolitan district as a whole and prepared the contract on this basis. Its action was validated by the subsequent ratification of the contract itself by the legislature. The two other limitations imposed by the statute were not to be overcome in this easy fashion, as the company was interested in maintaining them. One arose from the provision of the act extending the company's franchise until 1953, and postponing the city's existing option to acquire the property by purchase from 1922 until that date. This made it impossible for the commission to condition the continuance of the contract upon the good behavior of the company or upon its maintenance of amicable relations with the city. It placed the company in a position where it would have an assured, irrevocable franchise for a period of 35 years, and where any means adopted to secure adequate service at reasonable rates during that period would have to be independent of possible recourse to municipal ownership and operation. The third limitation prevented the commission from establishing the value of the property at the present time as a basis for future purchase by the city, and consequently prevented it from adopting any amortization scheme for the gradual reduction of the purchase price out of earnings. Thus the commission's problem was reduced to the devising of ways and means by which satisfactory service and reasonable rates could be secured to the public during a period of 35 years under private ownership and management. There was nothing in the act which required the commission to prepare a contract that the company would accept, but it was well understood in Montreal that the purpose of the Tramways commission act was to facilitate the settlement of the relations between the city and the company by the preparation of a contract which the company would accept and which would complete and bring into effect the provisions of the company's charter granted in 1911 and of the act itself extending the company's franchise to 1953.

THE NEW CONTRACT PREPARED AND FARES INCREASED

Early in 1917, shortly after the commission was organized, it held a series of public hearings for the purpose of receiving the suggestions of the civic authorities and various civic organizations and individual citizens. It employed Dr. L. A. Herdt, an electrical engineer and a professor in McGill university, as its technical adviser. After its public hearings were closed the commission made a trip to Chicago, Cleveland and other American cities for the purpose of investigating street railway conditions in this country. Subsequently, it caused a valuation of the Montreal tramways property to be made, and prepared a contract which after some negotiation with the company was accepted and signed by both parties January 28, 1918, and ratified by the legislature as a part of the Montreal city bill on February 9 following. The contract became effective as of the latter date, but considerable time elapsed before the machinery provided for the control of service and the revision of fares got into working order. A new schedule of rates was promulgated in June by the permanent Tramways commission, but these rates were suspended by an appeal to the Quebec public utilities commission. After prolonged hearings the utilities commission handed down its decision September 20, 1918, modifying and slightly reducing the schedule prescribed by the Tramways commission. The new rates, which finally became effective October 3, 1918, represent a considerable increase over the rates in force under the old contract. The cash fare is now 6 cents instead of 5 cents. General tickets are sold at the rate of 5 for 25 cents instead of 6 for 25 cents as formerly. School children's tickets are now sold at the rate of 7 for 25 cents instead of 10 for 25 cents as formerly. Special tickets during the morning and evening rush-hours are sold at the rate of 6 for 25 cents instead of 8 for 25 cents as formerly. The night tariff (owl service) is increased from 10 cents to 15 cents. Transfers remain free. The average fare paid during the fiscal year 1917 was 4.11 cents per revenue passenger. It is estimated that the average under the new schedule will be about 4.85 cents. The permanent Tramways commission estimated that the company needed an average fare of five and one-half cents, but this estimate was reduced somewhat by the Utilities commission.[1]

By the terms of the contract a uniform tariff territory was established to include the city of Montreal, the cities of Westmount and Outremont and certain adjacent towns to which this schedule applies. Outside of this territory are seven suburban communities in each of which a special schedule of rates was established. The local rates in these outlying towns range from two cents to five cents for cash fare. Tickets are also supplied at rates lower than the rates for the city district.

SUPERVISORY POWERS OF THE PERMANENT COMMISSION

The new contract applies in all important respects to the entire area served by the Company's system, and all provisions of the old municipal contracts inconsistent with it are superseded by its provisions. For the administration of the contract and for the exercise of permanent supervision over the company, a permanent Tramways commission is established consisting of three members appointed by the lieutenant-governor in council. The commissioners are required to reside in the territory under their control. They are appointed for 10 years but may be dismissed for cause at any time by the appointing power. Both the city of Montreal and the company also have the right to apply to the superior court for the dismissal of any commissioner for fraud, bribery, or refusal or neglect to carry out in good faith the powers or to perform the duties assigned him by the contract. This commission is given complete authority over extensions, maintenance, service and all the vital features of construction and operation, subject to the limitations of the contract itself and subject to an appeal from its decisions in most of the important matters over which it has control to the Quebec public utilities commission. The appeal may be taken by the company or by the city of Montreal, or by any interested municipality or by any party to the case involved. The commission is specifically required to hear and decide all complaints or applications made to it verbally or in writing by any person whomsoever.

THE FINANCIAL PLAN OF THE NEW CONTRACT

Article 92 contains the meat of the contract. It was prepared by a committee consisting of Senator Charles P. Beaubien of Outremont and Charles Laurendeau, chief city attorney of Montreal. In the course of their work they became familiar with the weak points in the Chicago and Cleveland settlements, and it was their purpose to devise, if possible, a plan based upon the service-at-cost idea that would provide inducements to the company to work in the public interest. They started out by accepting what was then a comparatively new theory of rates as applied to street railways, namely, that the character and extent of service, the financial requirements of the investment, the necessary operating expenses and payments to the city must first be determined, and that rates must then be fixed so as to bring in the revenue required for these purposes. This idea of flexible rates, changing from time to time as made necessary by the financial requirements of the enterprise, had been put into effect in the Cleveland street railway franchise of 1910. Under that franchise, however, the fluctuations of rates could not go beyond the limits of certain prescribed schedules and the rate of return on the investment was definitely fixed so that the company's motive for economy and efficiency in operation as a means of earning additional profit was destroyed. The Montreal commission determined not to copy these defects of the Cleveland scheme.

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[1] On March 20, 1919, one of the members of the permanent Tramways commission gave out figures showing the results of operation under the new contract for eight months from July 1, 1918, the date when the commission's car mile allowances for operating expenses and maintenance went into effect. The company needed to earn 40.4 cents per car mile to cover these allowances and pay fixed charges. It actually earned during this period only about 36 cents per car mile, thus accumulating a deficit of $700,000 in eight months. Under the new rates of fare in effect after October 3, the results were better, but even in December, January and February, which were very favorable months, the earnings fell short of requirements about 2 cents per car mile, or at the rate of over $400,000 a year. In February the employes initiated an arbitration proceeding for further increases in wages which, if granted, will amount to about $1,500,000 a year. This increase, together with the existing shortage in revenues, would necessitate another increase in the fares amounting to about one cent per passenger.

D. F. W.

Under the terms of section 92 of the Montreal contract the Tramways company is required to provide out of its own resources a guaranty fund of $500,000 which is to be maintained continuously at the full amount and to be deposited so as to remain available at all times for the purposes for which it is created.

THE DEVICE OF THE OPERATING BONUS

Gross revenues can be disposed of only in the manner prescribed by the contract. Operating expenses, naturally, have the first call, and in order to keep the company's expenditures under control and to supply an inducement for economy and efficiency in operation the following plan was adopted: At the beginning of each year the Tramways commission is to establish an allowance per car mile for operating expenses. This allowance will include provision for taxes, for the expenses of the commission itself, for insurance, for accident and damage claims including a reserve for claims not liquidated during the year, and for all other operating expenses exclusive of maintenance, renewals and depreciation. The commission is also to fix at the beginning of each year the permissible average density of traffic per car mile, so as to prevent the company from overcrowding its cars. If at the end of the year the company has kept within its operating allowance, or has not exceeded it more than 2½ per cent, it will be entitled to a special bonus to be known as the operating profit which shall be equivalent to one eighth of 1 per cent on the total average capital value for the year. At the present time this will amount to about $47,500 per annum. If, on the other hand, the company has overspent its operating allowance more than 2½ per cent, it will be penalized to the extent of such excess expenditure by the loss of the operating profit and, if necessary, by being compelled to make up the balance out of its own guaranty fund. It was recognized, however, that an inflexible operating allowance fixed at the beginning of a year may prove to be insufficient on account of conditions arising that could not be foreseen at the time when it was fixed. It was stipulated, therefore, that in case the company is able to prove to the satisfaction of the commission within 60 days after the close of the year that the excess expenditure has been necessary and unavoidable in the rendition of service as required by the commission, the penalty is to be remitted and the operating bonus allowed. Any portion of the operating allowance not needed during the year is to be returned to gross revenues.

MAINTENANCE, DEPRECIATION AND RENEWALS

The next charge against gross revenues is for the maintenance and renewals fund. There, also, the commission is to fix annually an allowance per car mile "for the purpose of maintenance, renewals, replacements and substitutions made necessary by wear and tear, age, obsolescence, inadequacy, accidents or other cause." The entire plant and property of the company used in providing public transportation service must be maintained at all times at the highest practicable standard of operating efficiency. Whenever any item of property contained in the appraisal or subsequently added to the tramways system becomes worn out or useless it is to be disposed of under the commission's direction and the proceeds are to be paid into the maintenance and renewals fund, unless other disposition of such proceeds is made necessary by the provisions of any deed of trust, and in that case the proceeds must be deducted from capital value. An exception is made in the case of moneys received from the sale of land and buildings, which are in all cases to be deducted from capital value and not to form a part of the fund. All expenses for maintenance, renewals, replacements and substitutions are to be paid out of this fund, and moneys not needed for these purposes during any year remain in the fund and are held in reserve until required for such purposes or for investment in betterments, additions and extensions as elsewhere provided in the contract. Whenever any portion of the property is replaced, the cost o the replacement up to the full reproduction value of the unit or article as fixed by the appraisal (or the actua cost, in the case of items installed subsequent to the appraisal), is to be paid out of the fund and any cost in excess of that amount is to be charged to capital. If the cost of any replacement is less than the reproduction cost (or the actual cost, as the case may be) of the item replaced, the difference is to be appropriated from the fund from time to time for the making of betterments, additions and extensions without any increase in capital value The commission may change the maintenance allowance from year to year, but the fund is not to be permitted, except temporarily, to fal below the sum of $500,000. No money can be paid out of this fund, or loaned or invested, except with the commission's approval. If the city acquires the plant at the termination of the contract, the maintenance and renewal fund will belong to the city and will not be added to the purchase price of the property.

RECOGNIZED CAPITAL VALUE AND RATE OF RETURN UPON IT

The third charge upon gross revenues is the return upon capital. The amount of the investment, exclusive of working capital, is fixed at $36,286,295 as of December 31, 1917. Working capital has since been fixed at $1,550,000. The net amount of additions and betterments made or to be made subsequent to January 1, 1918, will be added to capital value. The company is permitted to receive in quarterly payments from gross revenues a sum equal to 6 per cent on capital value. From time to time as new money is required for additions, betterments and extensions approved by the commission, such money must be supplied by the company, and the money so supplied will be added to capital value and the company will be entitled to an annual return of 6 per cent upon it, but when money is needed for these purposes, the company must borrow temporarily moneys in the maintenance and renewals fund, or in the contingent reserve fund or the tolls reduction fund hereinafter described, to the extent that in the commission's judgment the moneys in such funds are available. On moneys so borrowed the company must pay into the funds annual interest at the rate of 6 per cent, which it in turn will receive from gross earnings as its regular return upon additions to capital value. On account of the high cost of money during the war, the contract gives the company an additional allowance of 1 per cent per annum on money supplied by it for capital expenditures during the continuance of the war or within two years after its close, this additional rate being limited, however, to a period extending five years beyond the close of the war. Working capital is to be furnished by the company as ordered by the commission and upon such capital the company will receive the regular return of 6 per cent per annum. In addition to the allowances already described, the contract specifies that the company shall receive annually the sum of $181,421.47 out of gross revenues to be expended solely for discount, commissions, printing, engraving, etc., incident to the issuance and sale of bonds or stock. This flat sum is the equivalent of one half of 1 per cent upon the original capital value as fixed by the contract. If any portion of this allowance is not required in any one year for the purposes above described, it must be kept in a special account and reserved for use in subsequent years for similar purposes. In procuring additional capital required under the contract the company must limit its issues of mortgage bonds or debenture stock so that they will not aggregate more than 75 per cent of the total additional capital furnished under the contract. The net effect of the provisions relating to return upon capital is that the company will be allowed 6 per cent to be distributed in interest and dividends, an additional 1 per cent temporarily on new money supplied during the war and the equivalent of one half of 1 per cent on the original capital value to cover the expense of financing new capital; subject to the the limitation, however, that any portion of this special allowance not used for this purpose shall not be distributed to the stockholders during the life of the contract, and that the dividends paid upon stock shall not during that period exceed 10 per cent per annum.

The fourth charge against gross revenues is a payment of $500,000 per annum to the city of Montreal. This is in lieu of the percentage payments provided under the old contract.

THE DISPOSITION OF THE SURPLUS

The fifth charge against gross revenues is an appropriation for the contingent reserve fund. This fund is to get 1 per cent of the revenues until it amounts to $500,000, when the appropriation from revenues will be suspended until again needed to restore the fund to this full amount. This fund constitutes a surplus which must be maintained as a guaranty that the charges against gross earnings heretofore described will be made up in case of a deficiency in any particular year. At the termination of the contract the moneys remaining in this fund will be distributed in the same manner as the divisible surplus now to be described.

All the portion of the gross revenues remaining after the payment of the charges heretofore described will constitute the divisible surplus and will be distributed at the end of each year in the ratio of 30 per cent to the city, 20 per cent to the company, and 50 per cent to the tolls reduction fund. The portions of the surplus paid to the city and to the company respectively will belong to them to be disposed of as they see fit, subject to the limitation already mentioned that the company may not in any year during the life of the contract pay dividends on its capital stock in excess of 10 per cent.

FUTURE ADJUSTMENTS IN THE FARE SCHEDULE

The tolls reduction fund, which is to be built up year by year from 50 per cent of the divisible surplus, is a fund to be used for the reduction of fares in case the fares in force at the beginning of the contract or at any subsequent period prove to be unnecessarily high. When this fund reaches the sum of $1,000,000 the commission *may* reduce the fares, and when it reaches the sum of $2,500,000 the commission *must* reduce the fares. In order to insure reasonable stability in the new fare schedules established by the commission, the contract provides that when fares are to be reduced, one fourth of the moneys then in the tolls reduction fund shall be taken out and turned back into gross revenues, and that the amount of the reduction of fares for the year shall be at least equal to the amount so taken out of the tolls reduction fund but shall not exceed that amount plus an amount equal to 75 per cent of the annual flow from gross revenues into divisible surplus. Thereafter, at the beginning of each year, the commission is to take a like amount out of the tolls reduction fund
and turn it back into gross revenues s
long as moneys are available for thi
purpose. This plan was devised fo
the purpose of stabilizing rates as muc
as possible and at the same time pre
venting the commission from com
pletely stopping the flow into the divisi
ble surplus by arbitrary reductions
If the tolls reduction fund become
exhausted the rate of fare will never
theless not be changed unless a
increase becomes necessary. When
ever the contingent reserve fund fall
below $300,000, with all prior charge
upon gross revenue paid in full, th
commission must appropriate money
from the tolls reduction fund to resto
the contingent reserve fund to the fu
amount of $500,000, and if no money
are available in the tolls reduction fun
the commission must increase the fare
in an amount at least sufficient t
restore the contingent reserve fun
and maintain it at the full amount
At the termination of the contract an
moneys remaining in the tolls reduc
tion fund will be the property of th
city without any enhancement of th
purchase price to be paid for the com
pany's plant.

WILL THE MONTREAL PLAN WORK?

No franchise contract will enforc
itself. No matter how good th
scheme, it will not work automatically
Private operation of a street railwa
system, if the public interests are t
receive adequate attention, must b
continuously supervised through th
application of public intelligence an
will. Montreal starts off, under th
new contract, with a valuation tha
seems much too high—nearly $39,000,
000 (including working capital) fo
about 243 miles of main track, o
approximately $155,000 per mile. Un-
depreciated reproduction cost, with
rather liberal percentages for overhead

was taken as the basis for fixing the capital value. This will be a continuing financial handicap, but in the main the success or failure of the Montreal plan will depend upon the personnel of the Tramways commission and the inherent difficulties in the way of making a private company, with an irrevocable long-term franchise, act as a responsible public servant.

COMMUNITY COUNCILS, AND A DANGER

To the Editor of the National Municipal Review:

SIR:—There is much loose talk about "democracy" in these days and a wide acceptance of the view that almost any proposition will go down if plastered over sufficiently with that label. In a similar way, the good word "community" has become most undesirably fashionable and is added to all sorts of enterprises and agencies to make them more palatable. A new school of political philosophers has arisen who fairly wallow in "community" this and that, hoping in that way to escape the cold breeze of critical analysis. I do not mean to say that community centers and community councils may not be good in themselves; but in the expositions of their goals and purposes I have failed to find a more promising approach to democracy—and it is this which is specially claimed for them—than in the established self-government of the people through their elected representatives, and in many other social activities.

So far as I can see, the main idea of advocates of the newer loose forms of community organization as against the established forms of popular government is that they will by these means get rid of political abuses and at the same time make for an increase in self-determination, the assumption of civic responsibility by the masses of the people. In that contention I see a dangerous doctrine, a doctrine subversive of all the improvement and progress in municipal government that has been made and is being made by such bodies as the National Municipal League.

A great war has found many of our municipalities unable to cope with the added responsibilities. No special blame attaches to them, they were not equipped to shoulder the new burdens. So, quite naturally, a great part of the necessary war work devolved upon voluntary bodies of citizens, working harmoniously with the city authorities and, in some manner or other, delivering the goods. These committees and sub-committees have done their work nobly. The question, however, arises whether they are a necessary or a desirable addition to the permanent machinery of local government. In many cities, councils of national defense have organized not only general community councils for the city or various parts of it but also large numbers of committees which almost without exception infringe upon the work of some responsible public agency or officer. These councils and committees may be "representative" in an elastic meaning of that term; but they certainly have not been elected by popular vote and probably would not have stood a chance of election if the people had voted upon their composition. Is this progress towards democracy?

There are now at work in this country many groups of intelligent and practically experienced municipal reformers, some of them united on a specific program, others in a more general way, who are endeavoring to shape the system of municipal representation, government and administration into something more in harmony with the ideal of real civic self-government and with the ideal of competency. They are working hard and deserve every possible encouragement. Can we afford, under the cloak of war emergency or now under that of reconstruction needs, to cut the ground from under them—to help reduce the elected bodies to nonentities in a vague hope that others, without the authority of public office, may do better?

I believe in community councils or any other form of organization that will really help to distribute civic responsibility. But I do not believe that it can be done by divorcing the activities requiring large revenues and, therefore, necessarily remaining in the hands of elected authorities, from others that can be made self-supporting. Such a division of governmental functions fosters irresponsibility on the one hand and impotence on the other. The only way in which the popular organization of the community or neighborhood can be made conducive to better self-government is to ally it very closely with the constituted authority, to give it the relation which in many of our social organizations the volunteer has to the paid and responsible executive, and not to expect that it can ever be anything but subsidiary to the main processes of government and administration.

The efforts to popularize government and to improve its efficiency, obviously, are not contradictory—but we may easily make them so if we mistake the proper function in the community of the great mass of citizens. Properly educated, they may become better, *i.e.*, more intelligent voters. In much larger numbers than at present they may take part in specific administrative jobs of municipal departments; but never will they effectively replace in a responsible capacity the trained professional administrator and the expert municipal officer.

There certainly are many things in our municipal processes and civic life that need "reconstructing"—another fashionable term. But let us beware of pulling down too much, of letting our enthusiasm for self-government effervesce in the advocacy of impracticable substitutes for the product, unsatisfactory though yet it is, of age-long experience. Continuity of effort, after all, is an element in progress which only a very rare and very revolutionary change in human needs or notions justifies us to sacrifice. While it is yet time, let us guide, not check, the growth of the new tendencies for direct participation in civic management. There may be in them the promise of a tremendous perfection in our whole social organization—but for the moment there is also in them a threat to the very life of the municipal reform movement.

BRUNO LASKER.

NEW YORK, April 10, 1919.

AN ADVENTURE IN TENNESSEE WITH OUR MODEL CHARTER

BY AUGUSTUS RAYMOND HATTON

I

The attempt to get the Memphis council-manager charter bill through the Tennessee legislature developed an opposition which, for deliberate and cynical misrepresentation and general political nastiness, could scarcely be surpassed. The bill was based largely on the model charter of the National Municipal League. In the matter of popular control it went beyond the League's recommendations. Yet in spite of the strongly democratic character of the proposal, its opponents shouted of kaiserism, autocracy and municipal despotism. Asked for specifications and met by calm argument, they merely shouted louder. The volume of sound and degree of fury were indeed impressive. One who took vehement statement for fact would have been convinced ten times over that this bill was the most vicious measure ever introduced in an American legislature.

Curiously enough—or was it to be expected—the opposition was led by newspapers and men closely connected with public utility and other great corporate interests of the state, who now emerged as the self-accredited defenders of democracy and popular rights. Add to this the fact that this session of the Tennessee legislature belongs to the public utility interests of the state. Those interests wanted a public utility commission bill to their liking and are reputed to have spent a large amount of money to get it. The money was used to get "safe" men elected and to convince the legislators of the merits of the utility commission bill.

The Memphis charter bill as drafted contained adequate provision for the control of public utilities. When it went up against the legislature, it became apparent that it could not pass so long as those provisions remained in it. Everything relating to public utilities had to be eliminated.

II

A hearing was had on the bill on March 26. The chamber of the house of representatives was filled. The principal speech in opposition was made by G. T. Fitzburgh, one of the leading lawyers of Memphis, reputed to have aspirations to be United States senator, and closely connected with the Memphis newspaper which represents corporate interests in west Tennessee. In his crusade against the Memphis charter he joined forces with the Nashville paper controlled by General Luke Lea who is said to yearn to be the next governor. The attack of Mr. Fitzburgh was nothing if not vigorous. Vigor was the more readily possible because the speaker discarded the restraints which knowledge of the bill and accuracy of statement would have imposed. The eagle screamed and the measure was painted in colors so black that Stygian darkness would have been fair as a lily beside it. The peroration was an especially great effort—a plea that when the boys who broke the Hindenburg line in order to destroy absolutism in Europe returned to Tennessee it should not be to find absolutism enthroned in the largest city of that great commonwealth. That peroration should have drawn tears, though it is doubtful whether it did so unless, perhaps, from the speaker himself. Even that should not be asserted. His vigor of speech had put the orator into a profuse perspiration, and at a little distance perspiration may easily be mistaken for tears.

The speaker for the bill who followed Mr. Fitzburgh confessed himself embarrassed by the mere number of the misstatements which he was called upon to correct. However, he did take up the principal charges which had been made and answered them one by one. There was one cruel stab for the orator of the opposition in this calm presentation. The section which had been singled out above all others to be viewed with alarm was that regarding eligibility to the council. The choicest words of condemnation had been reserved for the deep and daring villainy of a provision which, it was declared, made it impossible for anyone but a member of the council to be a candidate and which would thus render the council first chosen self-perpetuating. Ah, now the mask was torn from this iniquitous proposal! Here was a skillfully laid plot to steal the government away from the "peepul" of Memphis and place it irrevocably in the hands of a self-perpeptuating group! So ran the argument about this provision—which, as the next speaker frigidly remarked, had been a part of the old charter of Memphis for years and had been taken over verbatim into the new draft.

Members of the legislature came around with expectant looks, and, it was firmly believed by competent observers, got bribes from the opposition. The charter passed one house unanimously and failed in the other by two votes.

III

The above picture is not overdrawn. It indicates the kind of opposition which legislation in the public interest frequently has to encounter. Here was a bill providing a council to be nominated and elected in a manner to insure the maximum of popular control, containing the most advanced provisions for the initiative, referendum and recall yet drawn, providing for a manager to be appointed by the council and removable at any time, establishing the merit system and a well developed budget procedure—such a measure boldly attacked as a device to set up kaiserism in the largest city of Tennessee!

Why does not such an attack as that made upon the Memphis charter bill defeat itself? When they read the measures cannot legislators be counted on to react against such unfounded charges? That is to assume that members of state legislatures read the bills which come before them. Only a small fraction of them read even the general bills. (In Tennessee all bills are not even printed.) Local bills fare even worse. No one pretends to feel any responsibility for a local bill except the members from the city or district which it would affect. To other members such bills are of interest only as items of barter in the process of getting votes for their own pet measures. Consequently, so far as local bills are concerned, an unfounded and misleading statement if made with sufficient plausibility and force has about as good a chance of acceptance by state legislature as the truth which it seeks to supplant. That was the situation in which the proposed Memphis charter found itself. It was a local bill. Therefore, in the final struggle the merits of the measure had little to do with its passage or defeat.

Actual contact with a few such cases as that above described takes the question of constitutional municipal home rule and reform of legislative procedure out of the realm of academic discussion. They begin to assume the proportions of issues vital to the future of American institutions.

Civics for New York State. By Charles DeForest Hoxie. New York: American Book Co. Revised 1918.

A Course in Citizenship and Patriotism. By Ella Lyman Cabot, Fannie Fern Andrews, Fanny E. Coe, Mabel Hill and Mary McSkimmon. Boston: Houghton Mifflin Company, 1918.

Citizenship in Philadelphia. By J. Lynn Barnard and Jessie C. Evans. Philadelphia: John C. Winston Company.

Our Community. By Samuel H. Ziegler and Helen Jaquette. Philadelphia: The John C. Winston Company, 1918.

The New American Citizen. By Charles F. Dole. Boston: D. C. Heath and Co., 1918.

One of the good results of the quickening of patriotism during the past two years has been an unmistakable increase in the attention which educational authorities are giving to the teaching of citizenship. Of the large number of texts which have recently appeared the group above may be taken as fairly representative. While the purpose of these texts is largely the same the methods pursued differ very widely.

Hoxie's "Civics for New York State" is a revised and enlarged edition of a book which appeared in 1901. While the material has been greatly altered the method of presentation of the earlier edition has remained the same. It is a description of the governmental machinery of the state of New York. It is a veritable mine of facts presented with little regard to the principles of modern pedagogy or the limitations of the young mind. The teaching of civics by means of a reference work is about as sound as the teaching of a modern language with the sole aid of a dictionary. The dry, arid civics of 20 years ago of which this text is a reminiscence has fortunately received the condemnation of civics teachers throughout the land.

The "Course in Citizenship and Patriotism" is for use in the elementary school. It is made up of selected poems, stories and maxims for use throughout the elementary grades. The theme as expressed in the introduction is that of "citizenship governed by good will and expressed in service." Beginning in Grade I with the home as a center the attention of the child is directed successively to home, school, playground, neighborhood, city, nation and the world. The teaching of citizenship is too complex a thing to be solved by a simple geographical exercise which passes from the home to the universe. However, the selection of material in all of the divisions of the book is so carefully made as to make up for the naïvete of the order of presentation. The unquestionable need for moral instruction of some kind in the public school might to a very great degree be met by a wise use of this book. It presents admirably that larger social morality which is the very heart of good citizenship.

Barnard and Evans's "Citizenship in Philadelphia" and Ziegler and Jaquette's "Our Community" were both prepared as a part of a plan of teaching citizenship which has been developed in the public schools of Philadelphia. This plan which is an application to Philadelphia conditions of that type of civics teaching which is widely known as "community civics," is distinguished by two characteristics: an overwhelming attention to the concerns of community housekeeping and the teaching of the duties rather than the rights of a citizen. It is easy to see that if citizens can be kept busy picking up waste paper and swatting flies they will have little time for the study of economic questions and the exercise of those facilities of democratic government by which citizens may in orderly fashion secure economic and social justice. This in the opinion of the reviewer is the fundamental failure of "community civics." Barnard and Evans's text presents in a very attractive manner the details of the government of Philadelphia. Ziegler and Jaquette's text gives one chapter to national concerns and 20 to smaller units of government. The practice of citizenship through the presentation of debatable public questions and the exercise of the ballot is all but ignored. More attention is given to mosquitoes than to the income tax and more space to a picture of Boies Penrose than to the need of a national budget.

Mr. Dole in his introduction says: "I have tried to prepare this book in close sympathy with the fundamental ideas which constitute the democratic faith of mankind. In touching upon political and other subjects upon which men and parties differ, I have thought the only way is to state fairly both sides. The young people, soon to be voters, ought not to be either ignorant or prejudiced. . . . I have not hesitated, however, everywhere to insist upon the ideals of a just democracy as the only scheme of successful co-operation in government or industry suited to a civilized life." He has in every way attained his purpose. The text which he has prepared has all of the essential facts concerning government presented in an attractive way. But he has gone beyond the mere preparation of a catalogue. The citizen is the hero of this book—not a mere community waste-paper gatherer and law obeyer, but the individual for whom the state exists. His duty of taking a part in establishing justice is as carefully presented as his obligation to respect authority. It is significant too that the author gives one fourth of his space to "Industrial Democracy; or, the Rights and Duties of Business and Labor." The connection between the world of industry and the policies of government are presented in simple and straightforward language. The book is educationally sound, the material is attractively presented and best of all the facts of life are presented fearlessly and justly. It is to be hoped that the civics of industrial, social and political democracy rather than the civics of community housekeeping has a sure place in the future of education.

Raymond Moley.

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Story, Russell McCulloch—The American Municipal Executive. University of Illinois: Studies in the Social Sciences, vol. VII, no. 3, pp. 231, Urbana, 1918.

Of recent years the attention of serious students of municipal government has been turned more and more to the administrative as contrasted with the political aspects of the subject. We have been experimenting quite freely with different types of executive organization—particularly the mayor, the manager and the commission types. The time is surely ripe for an illuminating study of the executive function in city government. The announcement therefore of a monograph on the *American Municipal Executive* excited the liveliest anticipations. On examination, however, the work proved disappointing. It is nothing more nor less than a discussion of "the executive" in that popular sense in which "executive" means the head of state or city. The book is really a study of the American mayor as a figure in city life. Of course a reviewer cannot legitimately quarrel with an author for having written the wrong book. He is within his rights, however, in demanding that it be properly labelled.

A chapter is given up to the mayor-commissioner, the author even speaking of that functionary as the "chief executive." The fundamental conception of commission government is that executive power belongs to the commission as a body. The mayor, if there be one in name, is simply the presiding officer of that body. He frequently may be its most influential member, but his power is that of influence alone. That the mayor is frequently not even the head of a department and that any general supervisory power the charter gives him amounts to nothing in practice, is a matter of common observation. Where, as in Houston, the mayor has an appointive power and a veto, you simply do not have commission government. In fact no one can explain a chapter such as this except upon the theory that the author's interest is in the office of mayor rather than in the functioning of the executive.

There is a brief chapter on the city manager in which Mr. Story describes very imperfectly and with little evidence of understanding the formal relations of that officer. Beard's *Digest* gives the same facts and has the surpassing merit of giving them all. To one who has been a manager it seems a waste of time to publish such a perfunctory treatment of that very vital subject.

After a brief introductory chapter the author plunges into the historical development of the mayoralty somewhere in Merovingian times and sweeps us in 20 pages over the intervening centuries. He deals dogmatically with many disputable points in history never once deigning to inform us where he obtained his information. For example, on page 22 he says the title of the office which in New England corresponded to the mayoralty was "moderator," without indicating his authority for a statement so astounding to New England ears. The later phases of the mayoralty are by no means clearly defined. It is difficult of course, in a few pages to sum up the stages of an evolution so extensive. By the same token it should not be lightly undertaken.

There follow 110 pages in which the author deals at length with the legal aspects of the mayor's relations with the public, the council, the administration, etc. An enormous amount of industry is evidenced in these chapters. They deal, however, almost altogether with the formal rather than the actual position of the mayor and shed little more light on the subject than a compilation of charter and statutory provisions would afford. The author has evidently neither the sound knowledge of municipal corporation law nor the practical experience to make his generalizations valuable. There appear in these pages a mass of undigested detail presented with little regard to the relative importance of different matters. For half a century German university influence has been moulding our graduate schools into fact factories and our graduate students into industrious grubbers in the field of knowledge. Mr. Story is not to be blamed for writing the sort of thing which most surely wins academic preferment. He has done what is technically known as a piece of "research." That it contributes nothing except proof of his surprising industry is a characteristic it shares with thousands of similar "studies" now on library shelves. There is not a single sound generalization in the course of the whole book which would not be recognized at once as a truism by any real student of municipal government.

His chapters on the mayor and politics and the personality of the mayor are more interesting to the general reader and show an encouraging tendency on Mr. Story's part to think for himself. The latter with its bits of biography would make a fairly successful magazine article. His inclusion of the present mayor of San Francisco in the honor roll of distinguished mayors along with Hunt, Johnson, Whitlock and Mitchel[1] would cause, however, many persons in this corner of the world to doubt the soundness of his judgment in estimating municipal achievement.

Thomas H. Reed.

San Francisco.

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Proceedings of the National Conference of Social Work (formerly, National Conference of Charities and Correction) at the 45th Annual Session, held in Kansas City, Mo., May 15–22, 1918. 315 Plymouth Court, Chicago. 722 p.

American Charities. By Amos G. Warner. Revised by Mary Roberts Coolidge. Third edition. New York: Thomas Y. Crowell Company, 1918. 541 p.

A casual examination of the proceedings of the 1918 National Conference of Social Work explains the organization's recent change of name. The program indicates clearly enough that the interests of the members of the conference are not confined to the field connoted by the former name—"Charities and Correction." Among the principal topics are public health, insanity and mental hygiene, the church in various relations, recreation, child problems, the family, labor problems, pensions, insurance, land settlement, Americanization, rural problems and various industrial and economic problems. One paper urges "abolition of inheritance," another discourses on "the war and the I. W. W." It should not be inferred either that it is a criminologist who analyzes the mind and motive of the I. W. W.; it was a member of the editorial staff of the *Detroit News*. He starts out with the thesis that "The I. W. W. is basically a state of mind, a rather primitive but perfectly natural mental outlook, and is comprehensible as such," and he concludes that "When the world is made safe for democracy, industrially as well as politically, there will be no economic serfdom and consequently there will be no I. W. W."

Professor Elwood, of the University of Missouri, presented a paper on "social facts and scientific social work" which furnishes an unusually stimulating and penetrating analysis of the broadening scope of what is called social work. "Scientific social work is," he declares, "not a program of mere palliative social amelioration; it is a program of radical and rational social reconstruction based upon an adequate knowledge of social facts; and it is the only program, not revolution by force, which can build a humanitarian civilization that can guarantee an adequate life for all."

Roger N. Baldwin, discussing "an industrial program for after the war," sets forth fundamentally the same conception by interpreting the social worker as a solvent of class conflict and an interpreter of radical and working class movements.

The reader who turns from these very forward looking addresses to the first edition of Amos Griswold Warner's *American Charities* (1894) is likely to conclude that present-day students of charity and philanthropy have forsaken their special field of service—the care and discipline of the dependent and delinquent classes—to become doctrinaire social reformers. Warner in his classic work formulated the principles of relief with a masterly grasp that is still unexcelled, but one looks in vain for this note of profound dissatisfaction with what social workers now look down upon as pathology and mere alleviation.

Into the two revisions of *American Charities* which have been prepared by Mrs. Coolidge the idea of "the reconstruction of a society" which will place the individual on a "plane of normal living" has been injected. It is Mrs. Coolidge, not Dr. Warner, who writes in the third edition, "no social movement can be alien to the social worker, who has so far been educated by his task that he now demands that ultimately justice shall precede charity, and prevention take the place of cure. It was once the accepted doctrine that prosperity and happiness were the natural results and reward of goodness, but the social worker in daily contact with the poor sees that their poverty comes from a deeper source than the vices or virtues of the individual—from sources which can be reached only by industrial and social changes which it is beyond the power of a single generation to make."

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[1] See p. 111 and footnote.

Of the first edition of Warner Professor Henderson wrote, it is "fair and moderate to say that it is a book of lasting merit and without a rival in its field. It must remain a vital force in the inspiration and wise direction of benevolent purpose." It is the remarkable vital force of the volume, which was evident when it first appeared, that has just carried it into a third edition. Another reason that Warner's *American Charities*, first published a quarter of a century ago, has not been supplanted is its good fortune in having a competent and sympathetic disciple of the author to keep it up to date. Mrs. Coolidge, pupil, colleague and friend of the author, assisted in the preparation of the original edition and was named by Dr. Warner himself to revise the work when a new edition should be called for. One can therefore assume that the revisions represent a faithful endeavor to preserve the distinctive quality which gave the original work its classic character. The editions of 1908 and 1918 are most worth while because of their fresh illustrations, statistics and bibliographies. Some no doubt would prefer the original text for interpretations and statements of principles, or at all events they would have been grateful if Mrs. Coolidge had indicated a little more specifically the new matter introduced in the text. The reader is not told that passages like the one quoted above did not appear in the first edition, nor is he warned—though that would scarcely be necessary—that such interpolations as the following are from the hand of the reviser: "As cities adopt manager and commission forms of government they become less politically partisan and are ready to listen to the social worker's point of view."

C. C. Williamson.

Judicial Tenure in the United States.

By William S. Carpenter, Ph.D. New Haven: Yale University Press.

The five chapters of this little volume deal with the place of the judiciary in our federal scheme. The power of the courts to define the constitutional limitations of the co-ordinate branches, which makes a balance wheel of the judiciary, is considered, together with the allied and equally important elements of selection and tenure of judges. More briefly the powers and limitations of reviewing courts in the states are discussed. The book is kept within 223 small pages by avoiding the discussion of cases, but its citations to cases, documents and addresses is so complete as to make it very convenient as a guide to a study of the subject or any part of it.

In the last chapter, devoted to conclusions, the author shows a very complacent attitude, due in part, we suspect, to his nearness to one of our most learned and progressive state supreme courts (at Madison).

After more than 100 years of exercise by the courts of the power of review over legislative acts the quibbles and attacks on this score are merely academic. We are clearly committed to this balance-wheel theory of republican government. But, strangely enough, a century has not been long enough to prove beyond doubt that this is finally the best mode of government. The example of France shows that it is not the only way of living under a written constitution. We have learned at least that sovereignty is of a volatile and illusive nature, tending to take refuge in the more expert branch, perhaps even when this branch is not the most quickly responsive to public sentiment. There is a common belief in the legal profession that a great virtue lies in the relatively irresponsive nature of the courts, but England's history has not yet disproved the practical worth of legislative sovereignty.

At this time, with the demand for the recall of judges receding and when there is no serious proposal to alter the mode of selection and tenure of federal judges, and when the courts of resort are indicating a disposition to apply the rule of reason to constitutional limitations affecting economic and industrial conditions, such a handy reference volume as Dr. Carpenter's is able to sum up a great deal of American history. But there yet remains doubtless much of accommodation, if not of serious conflict, between legislative and judicial power. We may be now on the verge of a period of great stresses. At any rate it is in order for somebody to take up the speculative side of the subject. Two facts are emerging. The courts are apparently about to resume with some degree of vigor their ancient rule-making powers, which will inure equally to their benefit and to the benefit of legislatures. While we have unremittingly preached a separation of powers we have blindly accepted a legislative meddling with judicial procedure which has worked infinite mischief and has flatly contradicted our basic principle of government. The other probable change is to come from a remodeling of legislatures so that they may become measurably expert and responsible instead of unwieldy, irresponsible and bungling.

Both of these changes will tend to affect the center of gravity of sovereignty. The courts will acquire, presumably, added cohesion and power. But to offset this we will have for the first time in a century legislatures capable of pursuing policies consistently. In the past our safety has rested much of the time in the helplessness of legislatures with their swiftly changing personnel and absurd conditions of performance.

The prophecy may be offered that the expected developments will be wholesome to government. We need not dread judicial sovereignty when the courts are offset by effective legislatures. The conflicts of the past decade between these branches would have been decidedly different if the legislatures had been able to express their wills in clear-cut language and to react promptly and consistently against the narrowness of the bench. There would have been no movement for the recall of judges. A fairly competent and wieldy legislature need never fear judicial sovereignty, nor need any court fear such a legislature.

Herbert Harley.

◆

Civic Biology. By Clifton F. Hodge and Jean Dawson. X–381 p. Boston: Ginn and Company, 1918. $1.60.

"We cannot control many of the forces of living nature by any amount of unco-ordinated individual effort, any more than we can turn back the ocean tides by haphazard sweeping with brooms," say the authors of this book in their preface. It follows, therefore, that the problem of civic biology "is to make it possible for everyone to know what these forces are, for good or for ill, and to understand how to do his part for his own good and for that of the community." By such co-operative effort only can we hope to save the 500,000 lives sacrificed annually by preventable disease, or the several billions of dollars worth of foods and other property swept away by rats, insects, weeds and fungi.

After outlining the general plan for the course as a whole the book discusses the necessary equipment and apparatus and the books which should be included in the civic biology library. Succeeding chapters take up separately the various types of plants and animals which are of significance in the present connection. Among these are: birds, insects, trees, flowers, flies, mosquitoes, ants, spiders, ticks, rats, bacteria, fish, frogs, turtles, snakes, etc. Special chapters are devoted to bird study, tree study and civic forestry, home planting and landscape gardening; practical biology of agricultural production and civic utilization of land; insect control; rat problem; diseases of plants; civic problems relating to mollusks; practical laws of life, etc. The text throughout is illustrated with excellent photographs, problem summaries, statistical tables and diagrams.

The authors have admirably succeeded in their effort to weave into a synthetic whole the elements of natural science, biology, civics, and medicine which necessarily form the basis of their study. They have produced, in truth, a very new and interesting text-book which presents in striking fashion a large amount of information which students of times past certainly would not have mastered until the latter days of a university career. School children of to-day having knowledge presented to them in a form so interesting and so easy to assimilate, undoubtedly are fortunate to a degree unthought of in the past, and when "come to man's estate," they should be eminently fitted for this sort of community co-operation so earnestly advocated by the authors of this book.

Dorsey W. Hyde, Jr.

◆

The English Village: A Literary Study, 1750–1850. By Julia Patton. New York: The Macmillan Company, 1919. Pp. 236. $1.50.

Although the title of this little volume conveys the impression that it deals with only a single century of English community life, and particularly with village literature, the author has approached her subject in a broad way and has given us far more than the title indicates. The earlier chapters of the book deal with the mediæval English hamlet and its transition to the modern rural community, likewise with the relation of the village to the transformation of national life. Dr. Patton's studies in this field have carried her well into the realm of economic history, for the English agrarian movements of the past four or five centuries have profoundly affected village organization and activities. Later chapters are more distinctly concerned with the literature of the village, its place both in poetry and in prose; its appeal to Gray, Goldsmith, Wordsworth and Tennyson in verse; to Scott, Addison, Eliot and others in fiction.

On the political life of the village during this interesting period there is little or no comment. Village literature concerned itself very little, apparently, with village politics. Some interesting material on this topic can be found in Sidney and Beatrice Webb's monumental history of English local government (to which Dr. Patton refers in the index as "Webbe"), but the author's acquaintance with this data is evidently far from intimate. It seems strange, moreover, that anyone should write of English village life during the great period of the industrial revolution without doing homage to the works of Arnold Toynbee or Thorold Rogers. Nevertheless, the book is a welcome contribution to the literature of an interesting subject. It should be judged by what it contains, not by what it omits. The author's style is admirable and she displays throughout the volume a keen sense of the relative significance of things.

William Bennett Munro.

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National Governments and the World War. By Frederic A. Ogg and Charles A. Beard. New York: The Macmillan Company, 1919. Pp. viii, 603. Price, $2.50.

This work "deals mainly with comparative government and undertakes to show what the heritage and genius of the principal peoples lately engaged in the World War have meant in the shaping of contemporary political institutions." While the book furnishes interesting reading for the seeker after political knowledge, it is doubtless meant to serve as a text-book for college classes. It is divided into four parts which treat of government in the United States (150 pages); governments of the Allied Nations (270 pages); government of the Teutonic states (120 pages); and the war and political reconstruction (37 pages). The names of the authors guarantee the excellence of the technique of the book and the soundness of its judgments. It will without doubt be widely used, and will help to root out the prejudice against the only sound way of studying political institutions, which is through a comparison of those which differ. Without comparison the only thing the student can do is memorize or reason *a priori*, neither of which processes offers the best educational results.

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The Nation at War. By James A. B. Scherer. George H. Doran & Co., New York. 285 pp.

Dr. Scherer, the president of Throop Polytechnic Institute at Pasadena, California, calls himself a "de-hyphenated American" and judging from the record, has made good on the description. As a speaker for the National Council of Defense he covered the country from coast to coast, coming into intimate contact with the people. His book is an intimate record of war preparations and the war spirit. It is a lively, fascinating, humorous narrative by one who is "more American than the Americans." It is quite likely that this generation is sated with the literature of the war. When the next generation wishes to reconstruct the picture of the islative and judicial power. We may be now on the verge of a period of great stresses. At any rate it is in order for somebody to take up the speculative side of the subject. Two facts are emerging. The courts are apparently about to resume with some degree of vigor their ancient rule-making powers, which will inure equally to their benefit and to the benefit of legislatures. While we have unremittingly preached a separation of powers we have blindly accepted a legislative meddling with judicial procedure which has worked infinite mischief and has flatly contradicted our basic principle of government. The other probable change is to come from a remodeling of legislatures so that they may become measurably expert and responsible instead of unwieldy, irresponsible and bungling.

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H. L. Gilbertson.

◆

The New America. By Frank Dilmot. New York: The Macmillan Company. 145 pp.

The author, an Englishman, is a sympathetic and kindly but keen, honest and candid observer and critic of American life and manners; a good representative of the new attitude among Englishmen toward America, born of the war. There seems to be behind it a good deal of the "get together" spirit expressed very delicately and in good taste and with simplicity and charm. Among the subjects treated are: "Food, Dress, Drink and Taxicabs," "The Written and the Spoken Word," "The American Woman," "What American Public Men are Really Like," "What Americans Think of the English," "Amusements" and "Some Contrasts" and "England Through a Telescope." It is a distinctly worth-while book for all those who care to "see ourselves as others see us."

H. S. G.

II. BOOKS RECEIVED

What of the City? By Walter D. Moody. The Story of Chicago and Its Wonderful Plan. Chicago: A. C. McClurg Co., 1919. Pp. 441. $2.50.

The Government of the United States. By William Bennett Munro, Ph.D., LL.B. New York: The Macmillan Company. Pp. 648. $2.75.

The Little Town. Especially in Its Rural Relationships. By Harlan Paul Douglass. New York: The Macmillan Company. Pp. 258. $1.50.

A Primer of Civics. Designed for the Guidance of the Immigrant. By J. J. Zmrhal. Issued by the Society of the Colonial Dames of America, Chicago, 1918. Pp. 61. (English and Italian.) 25 cents.

Coöperation and the Future of Industry. By Leonard S. Woolf. New York: The Macmillan Company. Pp. 141. $2.

Democracy against Autocracy and Socialism. By George Wilson Teitsworth. Minneapolis, Minn.: Augsburg Publishing House. Pp. 122. 50 cents.

Democracy v. Autocracy. By Karl Fredrick Geiser, Ph.D. New York: D. C. Heath and Company. Pp. 94.

Experts in City Government. By Edward A. Fitzpatrick. New York: D. Appleton and Company. Pp. 363. $2.25.

Financing of Public Service Corporations. By Milton B. Ignatius, LL.M. New York: The Ronald Press Co. 1918. Pp. 508.

Italian Women in Industry. A Study of Conditions in New York City. By Louise C. Odencrantz. New York: Russell Sage Foundation, 1919. Pp. 345. $1.50.

Ports and Terminal Facilities. By Roy S. MacElwee, Ph.D. New York: McGraw Hill Book Co., Inc. Pp. 315.

Principles of Government Purchasing. By A. G. Thomas. Prepared under the Direction of Frederick A. Cleveland, Ph.D. Published for the Institute for Government Research. New York: D. Appleton and Company. Pp. 275. $2.25.

Henry Rosenberg, 1824–1893. Commemorating His Gifts to Galveston. Galveston, Texas: Rosenberg Library. Pp. 226.

The Citizen and the Republic. By James Albert Woodburn and Thomas Francis Moran. New York: Longmans Green and Company. Pp. 398. $1.50.

The Eve of Election. By John B. Howe. New York: The Macmillan Company. Pp. 283. $1.25.

The Farmer and the New Day. By Kenyon L. Butterfield. New York: The Macmillan Company. Pp. 311. $2.

The Food Crisis and Americanism. By William Stull. New York: The Macmillan Company. Pp. 135. $1.25.

III. REVIEW OF REPORTS

County Government in North Carolina.—North Carolina is the one state where the county problem has been taken seriously. In some ways its counties lead the nation, notably in the scientific and up-to-date work in public health organization under Dr. W. S. Rankin, secretary of the North Carolina state board of health. Under the leadership of Dr. E. C. Branson of the state university, the people of the state are getting a vision of what county government means and may be made to mean as a great agency of social welfare generally.

But, like leaders in every other state, Dr. Branson and his co-workers in the North Carolina club have long since found that the complex, antiquated *machinery* of county government is a sad obstruction to the better ideals of county citizenship and public service. The club referred to, which is composed to older students at the university hailing from every corner of the state, is spreading the gospel of better county government through press service and personal influence in a way that should make for important results in a few years.

The Year Book of the club[1] is an important contribution to the scanty but growing literature on county government, and is of nearly as great interest beyond the borders of North Carolina as within the state. In the course of 27 short articles by different writers it covers most of the live and modern aspects of the county problem. Typical titles are: a township tax list study, the evolution of county health work, bridge building in North Carolina, county homes and outside relief in North Carolina, and the jungle of county government.

Counties in every state are in need of just such an examination as they are getting in North Carolina and everywhere county citizenship needs such devoted leadership.

H. S. Gilbertson.

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Problems of Peace.—The National Shawmut Bank of Boston has published a 44-page pamphlet of more than passing interest, under the title: "The problems of peace: a study of the essential needs of Massachusetts during the reconstruction period." It was written by the chairman of the bank's board of directors, William A. Gaston, who organized the government's war labor program for Massachusetts in August, 1917. In a clear and straightforward fashion Mr. Gaston, on the basis of nearly a year's experience in this war work, sets forth the problems of labor, demobilization and industrial reconstruction. The principal topics treated are railroad transportation as it affects Boston, New England's interest in the United States merchant marine, taxation in Massachusetts, Americanization and the labor situation.

◆

Municipal Legal Papers and Opinions.—The Investment Bankers Association of America has done a good thing in designating the United States mortgage and guarantee company of New York as its official depository for legal papers and attorneys' opinions. A great many valuable documents of a legal nature are prepared from time to time mainly dealing with the bond issues which have heretofore not been available. This action of the I. B. A. will accomplish this purpose.

◆

Public Ownership Service.—Under this title the public ownership league of America, 1439 Unity building, is issuing a series of mimeographed reports dealing with utility questions which are highly interesting and illuminating. Among the subjects treated are: advantages of public wire systems; 'phone and telegraph service to be universal; public ownership sweeping the world.

◆

The Municipal Review is the title of a new monthly publication issued from Vancouver, B. C., under the editorship of Henry Lewis, the founder and former editor of *Western Municipal News*. It is devoted to a discussion of municipal, political and educational questions.

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[1] "County government and county affairs in North Carolina," North Carolina Club Year Book, 1917–1918, published as Bulletin 159 of the University of North Carolina, Chapel Hill, N. C. 188 p.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

National Municipal League Model Charter Almost Adopted at Fresno.—Curious charter mixture has occurred in Fresno, California, and is explained as follows by Chester H. Rowell, editor of the *Fresno Republic*, and for several years vice-president of the National Municipal League:

> Our charter freeholders, after debating the matter for some time, reached the practically unanimous decision that they wanted a city manager charter with an appointive city manager, and they turned over the drafting of the charter to a small sub-committee, of which O. W. Warner was chairman. Mr. Warner took your model charter as his model and made a few changes and additions to meet local Fresno conditions, all of which I think have met with general approval. He was not a lawyer, however, and the lawyer member of his committee was busily engaged in running for Congress. So Mr. Warner made the blunder of not copying into his charter the provisions suggested in fine print in the appendix as necessary in a state which did not have certain provisions in its state constitution. The charter was approved by the freeholders, and presented to the city trustees. It was then placed on the ballot at the general election by the county clerk. The only formality for placing it on the ballot was that the city clerk personally handed it to the county clerk. The charter was passed by popular vote without much discussion and then, when it was too late, questions of its validity were raised. A bar association committee unanimously reported that the omission of all formalities in getting the charter on the ballot vitiated the election and that legally no election had been held and the charter had never been adopted.
>
> I do not think that opinion was correct, but at least the lawyers were unanimous in it and there was a fear that, if we should establish a city government under the new charter and disestablish the old government, and the courts should subsequently hold that the new charter had never been adopted, we might be left without any government, any taxes, any revenues or any valid obligation to pay such bonds as we might have issued.
>
> Our representatives in the legislature were up against the precedent of the legislature that all charters are ratified without question. If the charter was presented to the legislature, even if our three assemblymen asked for its rejection, it would nevertheless have been ratified. The question of the validity of the election itself, however, they regarded as too serious to be risked. They, therefore, accepted the opinion of the bar association committee that no election had been held, and did not even introduce the charter into the legislature. This leaves us as if nothing had happened, and we have the whole job to do over again, with no session of the legislature for two years to ratify it.

*

The Cleveland Terminal Question.—On January 6 the voters of Cleveland by a 3 to 2 decision ratified the Union Station franchise ordinance. At the same time $2,500,000 in deficiency bonds received a two-thirds vote. The election brought out about 50,000 votes, a showing of unusual interest for a special election.

To understand the station vote, several facts must be taken into consideration: 1. Cleveland has waited for a station for many years. 2. The agreement with three roads to build a station at the head of the mall was not enforced during the war. 3. The rapid transit question is becoming acute. 4. The idea of a union station for all steam and interurban roads is popular. 5. The public square site had two appeals—public convenience and also a civic improvement. 6. The pictures and advertising used by the company emphasized the matter of location. The man on the street said the square was the proper place for the public convenience.

The ordinance was introduced into council in September, 1918, as an initiated ordinance. The charter provides that franchises should be drawn by the city council and then submitted to popular vote. The station promoters, to facilitate and hurry matters, chose to hold the whip hand, make the council ratify or reject within a few weeks and then take the question to the people in either event. Council, in the short time allowed, managed to formulate some amendments and to save these and prevent the original ordinance from going on the ballot voted for the franchise under the thirty day rule of the charter. The stenographic record gives ample evidence of the council's dilemma. Constituents wanted a station; so did council; the contract was unsatisfactory but it seemed likely that the people would approve it; the administration urged its passage. The council, therefore, got what it could for the city and passed the ordinance.

The franchise as originally agreed upon by the council and the company provided in brief: 1. That the lake front provisions of the old station ordinance remain practically intact. This the New York Central demanded for it had promised a station at the head of the mall fronting the lake in return for certain water front rights on Lake Erie. The lake front question had no bearing on the public square station, except as it affected the railroads under the old grant. 2. Vacation of some twenty-nine acres of public streets from the square southwest into "the flats." 3. Implied rapid transit rights without effective city control. 4. Electrification of passenger trains within five years after completion of the station. 5. Terminals company to be judge of who should use station and under what terms. The city is not a party to any such agreements. 6. Rates and rentals not subject to city supervision. No filing of accounts with the city.

Some weeks before the election opposition to the franchise developed among various civic organizations and citizen groups. 1. The engineering society declared that the franchise jeopardized the future rapid transit interests of the city. 2. The Cleveland chapter of the American Institute of Architects reported that the city should not give up the mall station plan in favor of the new scheme. 3. The group plan commission believed that this new program would take the heart out of Cleveland's mall plan. 4. The civic league reported that the franchise did not properly protect the city's rights, that it created a virtual transportation monopoly, and under it no station was guaranteed. 5. Students of the lake front situation insisted that the city was giving away harbor rights the value of which are incalculable. 6. Several organizations insisted that the project would make for further congestion of an already overcrowded public square.

From the groups a citizens' committee was organized to fight ratification of the franchise. It spent some $3,000 in advertising and publicity. The terminals company, according to its filed statement of expenses, spent $25,000 in election expenses. *The Plain Dealer* and *The News* supported the franchise and *The Press* urged its defeat. The result of the election was a surprise for it was confidently predicted that the ordinance would carry by a 3 or 4 to 1 vote for the popular appeal was tremendous and the voters wanted a station.

The opposition by its stand brought about the proposal of the company to the council that an amendatory ordinance be agreed to. The company insisted that these amendments met all objections that had been raised to the terms of the franchise.

Council passed these amendments and they are now a part of the ordinance. Thus it happened that the voters were asked at the election to vote on a contract which the council agreed to change immediately. Members of the council are now asking that a provision be written into the charter which will make it impossible in the future to initiate a franchise by petition. They insist that this method gives the proponents the whip hand, and the council is thus forced to acquiesce against its judgment. The charter also limits the time within which council may consider an initiated ordinance.

The Cleveland experience of the last few months should be of value to other cities which are working on terminal problems.

It would seem to be the imperative duty of a city administration to get all the facts that an adequate and unbiased investigation can turn up before any terminal project is submitted for ratification. The relative merits of a one station plan and a two or three station scheme are by no means undebatable. High terminal costs are an important factor in the cost of transportation. Location of a station in the congested business district for convenience's sake may easily be a delusion. Retail business and hotel enterprises do not hesitate to move away from crowded districts. A single generation may easily relocate the business center of a city.

There is an apparent need for some crystallization of our best thought upon this terminal question. We must solve it in the interest of the whole public without reference to the interest of private business and industrial groups which may have a good deal at stake.

C. A. Dykstra.

Cleveland, O.

◆

County Home Rule in Maryland.—At the general election in November, 1915, the constitution of Maryland was amended by the adoption of an article providing that the city of Baltimore or any county of the state might obtain a home-rule charter by complying with the terms of the article and the supplementary act of the General Assembly. Judged wholly by its length, this article might very well have formed a part of the constitution of Oklahoma. Wisely, perhaps, very little is left to the discretion of the state legislature.

The article provides that on demand of the mayor and council of Baltimore, or on petition of not less than 20 per cent of the registered voters of that city or of any county, the board of election supervisors shall provide for the election of a charter board at the next succeeding general election. Provision is made in the article itself for the nomination of candidates. This board, when elected, is required to draft a charter for submission to the voters at the next ensuing general election. Baltimore availed itself of the privileges of this new article last November when it adopted a home-rule charter.

Section 2 of the amendment requires the General Assembly to provide by public law a grant of "express powers" for any county or counties that may adopt a charter under this article. Such a law was enacted April 10, 1918, to take effect June 1, 1918. Very broad and general powers, both legislative and administrative, are granted with respect to most subjects of local concern and interest.

Up to the present time (March, 1919) no county has secured a charter under the new constitutional provision. In at least three counties, however, effort is being made to formulate public opinion favorable to the new system. To this end, public meetings, addressed by men who have fostered the measure from the beginning, have been held in a number of cities and districts. The movement is more advanced in Baltimore county than in any other. It is the belief of some that the proposal finds unusual support in this county because of the very recent loss of a portion of its territory by annexation to Baltimore city. This, however, is a misapprehension for the state courts have recently held that the matter of territorial distribution or subdivision rests exclusively with the General Assembly.

The motive lying back of the home-rule measure was not dissimilar from that in other states where such legislation has been secured. The uniform, inelastic, public local laws of Maryland, like those of many states, have hampered, quite as often as they have helped, the conduct of local public business. This condition has been aggravated by the wide diversity in the nature of that business incident to the differences in the size, population, industry and general conditions in the respective counties. Furthermore, it has been found that the short, biennial sessions of the General Assembly must be devoted almost wholly to matters of purely local interest, at the expense of more important matters; or else the consideration of the latter would render impossible any adequate consideration of the former.

There is evidence that the return to normal conditions will bring a renewed interest in the important matter of securing better local government.

W. L. Wanlass.

Johns Hopkins University.

◆

Teaching Housing in the Schools.—The problem of teaching tenants to live properly in their homes, to know the value of light and air, to have proper regard for the owner's property, to understand how to utilize and not abuse sanitary conveniences and to take care of public parts of buildings used in common by several families, is one of the most perplexing problems confronting the housing worker. Much has been done in several cities by the use of the visiting housekeepers who go into the homes to teach mothers the essentials of good housekeeping. That plan has worked successfully. There is no doubt, however, that the greatest hope of teaching proper housekeeping methods lies in reaching the children through the public schools. Their minds are more plastic. They are constantly imbibing American habits and American standards of living. They naturally aspire to better things.

The Cincinnati better housing league has with the cordial support of the superintendent of public schools put into effect a plan for teaching children the essentials of good housing. It gives promise of being highly successful. For the present the plan is being used only in schools in tenement districts for the greatest need is there. The plan is as follows: The secretary gives a brief and snappy talk to a general assembly of the pupils of the sixth, seventh and eighth grades, touching only on the simple principles that the children can grasp, urging each one to constitute himself a junior sanitary police to watch over the cleanliness of the house he lives in, emphasizing the essentials of the right kind of home. The talks are made lively and interesting by asking the children questions and getting them to tell how they can help to keep their homes right, to prevent fires and the like. In one school at the end of the secretary's lecture the children did the questioning. They showed that they had received intelligent instruction from their teachers by asking questions that one might well expect to hear at a housing conference. Among the questions asked were "Who pays for the work done by the better housing league?" "What men in Cincinnati are interested in it?" "In what country did the better housing movement start?"

At the first civic lesson following the talk in the school the eighth grade devotes the entire lesson to the study of the league's educational pamphlet "Health, Home and Happiness." The teacher then asks the pupils to write an essay on the proper care of the home. The best five essays are slected by the teacher and sent to the league which awards for the best essay a certificate reading—

> This is to certify that.................... submitted the best and most original essay on *The Proper Care of the Home* in an essay competition among the members of the Civic and Vocational League Club of the ....school.
>
> Awarded by the Better Housing League.
>
> Date....................................

The first essay to be awarded the certificate, considering that it was written by an eighth grade pupil, showed a remarkably clear understanding of the subject. "Looking back," says the little girl, "we find that the more civilized and educated the people are the better the housing conditions. Therefore, we, the people of the United States, should have sanitary and clean homes especially if we wish to rank as a leading nation. . . . For it is the same with the human body as with a plant. Put it in a light, airy and clean place and it thrives, but put it in a dark, musty place and you soon have a drooping, sickly specimen. If a plant is worthy of care and attention how much more so is the growing child that will be the future citizen?"

Bleecker Marquette,
804 Neave Building, Cincinnati, Ohio.

◆

The City Planning Standards of the United States Housing Corporation.—A visit by members of the American City Planning Institute to Camden, New Jersey, called Yorkshire Village and to Chester, Philadelphia, called Buckman Village, Sun Village and Sun Hill, and to the Oregon Avenue development by the United States housing corporation, featured the meetings of the institute at Philadelphia on January 26 and 27. The discussions which followed the visit emphasized the fact that two abnormal features which accompanied the government's activities make it difficult to estimate definitely what town planning has gained from the government's experiences.

These two elements are the war time cost and the unusual degree of speed required. Some of the special lessons which have accrued from the past year's experience are as follows: First: The difficulty of getting good topographical surveys upon which to base the general town planning scheme. Second: The importance of street planning and the preparation of grading plans not only for the streets but also for the lots. Third: The relation of the location of sidewalks to the location of the curb. Fourth: The disadvantage and advantage of alleys. Fifth: The importance of the selection of the locations for poles and wires. Sixth: The value of proper location, size and character of school sites.

The differences in the organization and methods used by the emergency fleet corporation and by the United States housing corporation were revealed by the statements of the chief town planners of these two organizations, B. A. Haldeman, and Frederick Law Olmstead. Whereas the housing division of the emergency fleet corporation co-operated with local real estate companies or other local bodies, the United States housing corporation conducted its projects independently. The plan of Yorkshire Village at Camden, New Jersey, the largest housing and town planning project of the government which is being constructed under the direction of the emergency fleet corporation received special attention. English war housing experiences also received considerable attention at one of the evening sessions.

John Nolen.

◆

Constitutional Revision and County Government in Pennsylvania.—Coincident with the call of the governor for a commission to study the need for constitutional revision in Pennsylvania, a People's association is being organized throughout the state to promote popular interest in a new constitution and more efficient state, county and local government. The new organization was formally launched at a dinner in Philadelphia on March 25, attended by delegations from a dozen counties as guests of the People's association of Delaware county which is actively promoting the project.

The association is forming along strict nonpartisan lines and is representative of all elements and groups in the state. The League of third class cities, the Pennsylvania borough association, the State federation of labor and the Grange, as well as numerous local civic bodies, are co-operating with it. Committees will be formed in each county to study local needs and to lead discussion in constitutional questions. A general meeting of delegates of the county units will convene early in May at which time a state headquarters will be established and permanent officers of the association chosen.

The present constitution of Pennsylvania was drafted in 1873. Inasmuch as it is extremely difficult of amendment it is to-day an antiquated document, and is thought by many to need a thorough overhauling. Provisions demanding special attention are those establishing certain constitutional officers, both state and local; also those prohibiting proper classification of counties and cities for legislative purposes, and unduly limiting the taxing and borrowing power of municipalities. Greater home rule for local units and improved assessment methods are desired.

The People's association will work for a flexible constitution which it will strive to supplement by constructive legislation to give Pennsylvania a system of government in line with modern standards. H. W. Dodds, 36th and Woodland avenue, Philadelphia, is general secretary of the association.

◆

Training for Specific Public Service.—The need for training for specific public service has received recognition in an interesting way in California, where the league of municipalities in co-operation with the University of California has inaugurated a correspondence course for city clerks. R. E. Bosshard, city clerk of Alameda, says, in *Pacific Municipalities*—"Men and women step out of private life into this public office quite frequently totally unprepared to assume the duties. Some months pass during which the clerk serves his apprenticeship and as succeeding months go by, he becomes more proficient, until at the end of his term he is thoroughly familiar with his duties. Then comes a change with the recurrence of the same conditions." The league hopes to raise the standard of the qualifications for the position from those of a purely political office to one at least semi-professional in its nature. The course of study is divided into the following headings: Types of modern communities and their development; knowledge of inter-relationship between (a) city and county, (b) city and state, (c) city and the United States; organization of municipalities; registration of voters; conduct of election; kinds of elections; budget making; assessments; record keeping; procedure for public improvements; accounting.

The league of municipalities proposes to introduce in the next legislature, a bill requiring as a qualification for this position the holding of a certificate showing that the individual has completed the course.

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Municipal Landing Place for Land Planes and Sea Planes Favored.[1]—It is well known that extensive plans are under way for the development of aviation for sport, governmental and commercial purposes. The war has trained many thousands of men in the use of the airplane and provided this country with many thousands of machines and large, well-equipped aircraft factories. A large part of this immense equipment and personnel is being turned to peace purposes. It will only be a short time until transportation through the air will become a most useful factor in our business affairs. It is essential in the development of commercial aviation that landing places be provided close to the business district in our leading cities. A number of cities have already taken steps to assist or establish such municipal airdromes. Your committee believes similar action should be taken by this city. The city no doubt already owns property available for temporary if not a permanent landing place for aviators. Your committee accordingly offers for adoption the following resolution:

Resolved, That the chamber of commerce of the state of New York recommends that the appropriate city authorities investigate the advisability of the city establishing a municipal airdrome for land planes and sea planes, suitably located and equipped to meet the needs of aviation for commercial purposes and general travel through the air.

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[1] The substance of a report to the Chamber of Commerce of New York.

German Municipal Efficiency continues even in these unsettled post-war times. Colonel Henry M. Waite, the former city manager of Dayton was with the army of occupation in Germany. He was assigned to deal with German municipal authorities and incidentally was one of the few Americans who reached the Rhine before the German armies left. Having in view the fact that German cities had for years been administrated by professional chief administrators like himself, he was interested in putting them through their paces. He brings back this report:

> The German municipal authorities were extraordinarily efficient. They often gave us in a single day data which we requested and which we assumed would take weeks to compile. They had their facts always on tap and knew far more about the condition of their people than American municipal officials usually consider within the scope of their interests. Beyond all doubt the German mayor knows his job.
>
> But the Germans don't have the city-manager plan. The resemblance is utterly superficial. The whole democratic spirit of our manager cities is missing. I talked with labor radicals, and apparently they had not even thought of the idea of electing friendly councilmen under the new democratic régime, and thereby keeping the magistrate under continuous and flexible control. They took it for granted that the administrators would do whatever they pleased. A government that would obey the rank and file of the people was a curious idea to them.

◆

Chicago's $18,000 Superintendent of Education.—Charles E. Chadsey, superintendent of the Detroit schools, has been elected superintendent of the Chicago schools for a four-year term. This action was taken, according to the Chicago city club, upon the recommendation of a citizens' commission, of which Charles L. Hutchinson was chairman, appointed by the board of education. Prior to the election of Mr. Chadsey, President Mead of the club, acting upon the instruction of the directors, sent a letter to the president of the board, urging the acceptance of the recommendation of the advisory commission. The ground for this action was found in the character of the expert advice which the citizens' commission had sought in making their recommendation. In this letter President Mead said: "The directors of the club in 1915 urged upon the board of education a method of selecting a superintendent of schools through the recommendation of trained educationists of national standing, and now that the board of education has at its disposal such competent impartial advice as is evidenced in the report of the citizens' commission, showing the list of those consulted, the board should in our opinion act favorably upon it, both to secure a competent superintendent of schools and to give wider currency to the method of selecting technical servants of the public through nomination by disinterested persons who are recognized as experts in their calling." Mr. Chadsey's salary will be $18,000.

◆

Proportional Representation Progress.—The fact that all parties in *Sligo* secured their fair share of the seats to be filled, elected their leading men and were satisfied with the result—a surprising outcome for the Ireland of to-day—naturally suggested the extension of the system to other Irish communities. On February 25, when a deputation representing the municipal association of Ireland waited upon the Irish secretary, Jan MacPherson, and asked for the government's views on the subject, he replied: "We have come to the conclusion that we should extend the principle of proportional representation to all local elections. We are having a bill drafted at the present moment to secure this, and we hope that it may be passed through the Houses of Parliament in time for the local elections that are approaching."

In *Calgary, Alberta*, the recent municipal elections were carried out under the Hare system, this being the second time it was used here.

Showing the trend of feeling in *Ashtabula*, a number of leading citizens who opposed the introduction of the Hare system have recently declared in its favor. These included the presidents of a number of corporations and of the chamber of commerce, the city manager and the superintendent of schools.

◆

City Manager Notes.—*Suffolk, Va.*, has adopted the commission manager form of charter by a four to one vote. It becomes effective December 1, 1920. E. O. Heinrich, the city manager of *Boulder, Colo.*,[1] has resigned to accept a call to the chair of criminology in the University of California. He will also take over the practice of the late Theodore Kitka, an expert in that field. *Lapeer, Mich.*, adopted the form by a vote three to one, the charter becoming effective April 15. The city manager form is under consideration among the larger cities Chicago and San Francisco and in Carlisle, Pa.; Lima, Ohio; Brookfield and Waukegan, Ill.; Bozeman, Mont., and Ada, Okla. Indiana and New Hampshire state wide permissive city manager bills have been defeated. *Waterville, Me.*, failed to get its special charter bill through and the *Coshocton, Ohio*, voters defeated a city manager charter by a majority of 38.

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[1] See National Municipal Review, vol. vii, p. 217

◆

Hays, Kansas, has adopted the commission-manager form of government as the result of some local activities led by the chamber of commerce with the co-operation of the new secretary of the League of Kansas Municipalities, A. A. Long. Hays is the fourth city to take advantage of the right to adopt this form of government. The plan has been in operation for two years in Wichita, El Dorado, and Augusta. Any city in the state may adopt the plan by a majority of voters voting at election for that purpose.

◆

The Pennsylvania State Bureau of Municipalities by an act of assembly has been reorganized and its powers very greatly increased. In addition to making available and disseminating data, statistical information and advice that may be helpful in improving the methods of administration and municipal development in the several municipalities of the state and maintaining publicity service, it is now authorized to install and establish modern systems of accounting and to promote comprehensive plans or series of plans for the probable future requirements of the cities, boroughs and townships of the commonwealth either separately or jointly in respect to a system of traffic thoroughfare and other highways or main highways, transportation of every sort suitably co-ordinated, sites for public buildings, parks, parkways, playgrounds and other public uses, the preservation of natural and historic features and any and all public improvements tending to the advantage of municipalities or townships affected as a place of business and residence.

J. Herman Knisely will continue as chief of the bureau and B. A. Halderman of Philadelphia will be made consulting town planner.

◆

Seattle's Municipal Railways.—The supreme court of Washington having confirmed the legality and constitutionality of various steps taken in the transfer of the Puget Sound light and power company to the city of Seattle, the actual transfer of the properties was effected at 12 o'clock, midnight, March 31. The superintendent of public utilities stated that his first plans for operation involved the physical connection between the city and traction lines, eliminating duplication of service, establishing express or limited service from outlying districts to industrial districts, adoption of traffic regulation, eliminating present congestion of downtown streets due materially to parking of automobiles, the installing of a skip-stop system and the introduction of one man cars wherever practical. In addition to a campaign of power service and speeding up of service there will be a general elimination of street car tickets making the nickel the standard and only fare except for school children and the elimination of free riding of every sort. Plans for establishing safety zones and the more rapid loading and unloading of passengers are also being worked out.

◆

Seattle Defeats Municipal Pension Scheme by a decisive vote, probably on the general merits of a pension to civil service employes. The recent strike according to a correspondent opened the eyes of many citizens to the results of the organization of the civil service employes, some of whom went on a strike. The unpopularity of such a movement undoubtedly aided materially in the defeat of the scheme. The voters also defeated the proposition to increase the salaries of city councilmen from $3,000 to $4,800. A series of amendments to remove useless provisions was carried by a bare majority. Sundry bond issues were defeated because the people were in no mood to spend money.

Another correspondent writes as follows:

> I have to report that the traction purchase has been consummated and Seattle is now engaged in operating all of the street car lines in the city, except one, which, because of the topography of the country, has a monopoly of the transportation in the Rainier Valley. That line claims to be losing money, and is anxious to sell to the city. The only other exception to the city ownership is of the interurban lines, which are still owned and operated by the Puget Sound company.
>
> One of the first things which the superintendent of public utilities did when the lines were taken over was to arrange for an increase of wages to the men. I do not believe the matter has yet been entirely adjusted. He claimed that a considerable portion of the increase would be taken care of by a reduction in the number of higher officials, but, even with that saving, the

increased wage scale meant an increased expenditure of $15,000.00 a month, on his own showing.

Requests have already come in to the city council for extensions of the lines. A request has been presented by the residents of West Seattle for the institution of a transfer system between the lines and the ferry, and a controversy has arisen between the police department and the public utilities department because the latter will no longer permit the policemen to ride free of charge. The superintendent maintains that if the city council decides as a matter of policy that the policemen should ride free, then the city council should make a definite appropriation to the police department for that purpose, in which case the police department would reimburse the public utilities department for the fares. In this I think the superintendent is quite correct.

The elevated line which was being built by the city to connect with the shipyards and West Seattle is not yet completed. The original estimates fell far below the cost and it is now estimated that $175,000.00 more will be needed to provide for the approaches. It seems quite curious that an elevated line should be planned for and erected without proper plans and estimates for the approaches thereto, but, according to the statements of the mayor, this was apparently done in this instance.

II. POLITICS

Chicago's Extraordinary Election.—William Hale Thompson was re-elected mayor of Chicago on April 1 in a plurality of 18,000. This result is so extraordinary that one is almost inclined to feel that it is an April first joke. It was surprising enough that Mayor Thompson should have gotten more votes than his opponents for the Republican nomination, Judge Olson and Captain Charles E. Merriman together at the primaries, in spite of the fact that his administration is generally regarded as the worst the city has had in 25 years and that his attitude in the early part of the war was calculated to cultivate pro-German sentiment. Mr. Sweitzer. Roger Sullivan's candidate for the Democrats, won hands down in the Democratic primaries, so the candidates of four years ago faced each other again. In addition to these two candidates there were labor and socialists candidates and Mr. Maclay Hoyne, state attorney, ran as an independent Democrat. One of our Chicago correspondents, to whom we wrote, replied as follows:

> You ask me how I feel about the results of last Tuesday. I feel ill; they are not only extraordinary,—they are actually catastrophic. I would not have said this about any other mayoralty election in the last 30 years,—bad as some of them have been. I do not know any adequate explanation. A principal factor was the perfectly extraordinary diligence and skill with which a purely self-seeking organization has been built up for over a period of four years. There has been much more than the usual lack of scruple in the means in which the organization has been created. Another factor is the perfectly appalling demagogy which invented every conceivable lie and trotted out every imaginable "bunk" and shamelessly reiterated with no concern whatever for exposure or disproof.
>
> Fortunately the city council still holds fast, but the Thompson organization and the Hearst newspapers are now carrying on a persistent campaign to disrupt the non-partisan organization of the council, and capture enough of its members to control the council. They are not succeeding this year, I think, but with the four years' term for mayor, there is no telling what will happen the next year, or the next.

William L. Chanery, one of the most intelligent journalists of that city contributes an article on Chicago "Politics" in *The New Republic* of March 15 in which he seeks to give the reasons for this very remarkable result.

Developments will be watched with extreme interest, but Chicago seems to have done what it has done with its eyes open.

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Progress in Grand Rapids.—The Grand Rapids citizens' league was so successful in its campaign for city commissioners that its three candidates were elected at the primary. In other words, they received a majority of the votes, so it was not necessary for them to stand for election. The league had three good men to support and by a fortunate coincidence each one had been christened with the good old name of John, so the league adopted the slogan—"The Three Johns." Inasmuch as they were men of excellent reputation and capacity, they succeeded against the candidates of the former political boss, who was hopelessly submerged, for the time being at least. One of his candidates who caused the hardest fight was a lieutenant who had fought at Chateau Thierry, but as he was a man without any previous business experience, and as the league has always maintained that the city demanded men of business experience and judgment, he was accordingly opposed, and the voters backed up the contention. There was an excellent organization among the new women voters, which contributed to the results.

◆

Baltimore Democrats Defeat Mayor Preston for Renomination.—I am glad to tell you that the result of the Democratic primaries is a decided victory for the merit system and good government generally. It eliminates the present mayor as his own possible successor and leaves both the candidates for the office pledged unequivocally to carry out in letter and spirit the merit system provisions of the new charter. Mayor Preston was equivocal in his answer to the interrogatory propounded to him on this subject by the Maryland association and his "spoils" principles, or rather lack of principle, was a secret to no one. A very discouraging feature of the canvass was the large number of respectable people who overlooked his moral delinquencies because of his supposed activity in promoting the material advancement and advertisement of the city. This fact renders his defeat in the primaries all the more satisfactory, because it shows these backsliding reformers that public opinion is more constant than they have ever shown themselves to be.[1]

◆

The Redemption of East St. Louis.—At the primaries held on February 25, the whole ticket selected by the "new era" executive committee defeated the members of the former bipartisan political organizations as well as all encumbered municipal officials. This committee is an association of progressive citizens which is standardizing good government and ideals of advancement. The election on April 1 confirmed the results of the primary.

Concerning the situation in East St. Louis, F. C. Butler, who had been active in organizing the community services of that city during war times writes that "the executive committee is composed of able people and I am sincerely hopeful that all that we expected of the work there will come about. Community centers are being opened both by the committee and under private organizations, several very important studies have been undertaken and the work seems to be progressing favorably. At the end of the year we will undoubtedly issue a statement in regard to the work that has been accomplished. Probably no more hopeless situation can have been imagined than that which existed in East St. Louis when this work was undertaken and consequently we are giving civic co-operation the hardest possible nut to crack." This is the outside view. Here is the inside view: "Considerable misimpressions have been created all over the country regarding East St. Louis, as a consequence of the race riot. The whole truth is that the situation here has been identical with that which prevailed in St. Louis, Philadelphia, San Francisco under boss rule, maladministration and graft. The fact that a riot could happen was not due to any fault of the community, but to municipal inefficiency resulting from misrule and bipartisan gang politics."

◆

Youngstown's Resigning Councilmen.—Five councilmen of Youngstown, Ohio, have resigned their seats. They with two others were indicted for accepting a bribe for their support of proposed municipal[1] legislation. Two were convicted and five escaped on a technicality. The two who were sentenced to the penitentiary have not yet gone to that institution, but it is understood they have confessed and added enough information to that already in the hands of the prosecuting attorney to put him in a position to demand the resignation of the other five. Whether this inference is warranted by the facts, all the people know is, that the resignations came without warning and in the words of our correspondent "that the explanations offered did not explain."

◆

Detroit's Interesting Election.—A Detroit correspondent thus writes about the results of the election on April 7:

> If you question the sanity of metropolitan democracy when recently Detroit voted to have eastern, central and sun time all at once, you will be interested in the returns from our election of April 7. Never before in my experience has democracy been so discriminative in intelligence as in this instance. The uppermost question was the purchase of the street railway system. An agreement to purchase was defeated, receiving considerably less than the majority vote, instead of the 60 per cent vote necessary. This was in spite of the fact that Detroit has twice overwhelmingly voted for municipal ownership and the present charter compels the city government to acquire municipal railways. The opposition has two arguments: That the price

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[1] The above is from a private letter from the Hon. Charles J. Bonaparte, who at our request had consented to its publication.

[1] See NATIONAL MUNICIPAL REVIEW, vol. vii, p. 429.

was too high, and that new methods of transportation would shortly supersede the present electric plan. Possibly the latter argument was more effective.

It is of particular interest that the voters defeated a charter amendment permitting the street railway purchase agreement, as well as the agreement itself. To do this it was necessary for the voters to review nine local propositions and vote down one which was only corollary to the purchase agreement.

It is possible that the public was not opposed to some form of municipal ownership, because it favored another proposition—to issue public utility bonds for street railways purposes.

Confidence in the present administration, and a willingness to spend money was indicated by a two to one vote in favor of a $3,000,000 bridge (already twice defeated) and by a substantial majority in favor of issuing $10,000,000 of park and playground bonds.

Detroit followed recent procedure in going substantially wet. Approximately 25 per cent of the voters changed their mind since the last election. This was doubtless due to the effects of the Webb act and the Bone Dry Michigan law. This latter legislation was most offensive, making the mere possession of liquor a felony. Had the wet amendment to the constitution been any other than a tricky proposition to legalize all intoxicants, except distilled liquors, and with limited regulation, doubtless many thousands of additional wet votes would have been cast.

In choosing personnel practically all the old time politicians went into the "scrap heap." Even in a three-cornered fight an unsatisfactory police justice lost out to a "reformer."

Two women ran against two men for the school board and were beaten. The margin, however, was narrow.

There are no available figures as to the number of women who voted, but the number could have been only slightly less than the number of men. They took considerable time in the voting booths, but I think are responsible for a considerable dry vote and doubtless favored reform in the police court.

◆

Milwaukee Defeats the Socialists.—The election of April 1 in Milwaukee represents probably the most bitterly fought school board and judicial contest which Milwaukee has ever witnessed. As a rule comparatively little interest has been taken in these off-year elections. This time, however, with complete Socialist Party control of the school board threatening, as well as considerable likelihood that the bench as well would come under party jurisdiction, the people were aroused in a manner which has never before been possible. The result was a vote which smashed all records for similar elections and resulted in a sweeping victory for the anti-Socialist ticket supported by the citizens of all groups. The school board candidates ran generally from 10 to 13 thousand majority over their Socialist opponents. In the judicial campaign the fight on one of the judges was rather closer, a bare 2,000 votes separating the closest contestants.

Several outstanding facts regarding the election are noted:

1. It was the first election in many years in which the Socialists suffered a complete defeat, losing every contest.
2. The largest vote ever cast in a judicial and school election was cast.
3. The voters' league recommendations for school officers, carried real weight, while the teachers' association slate was badly beaten.
4. A new force in local politics entered the field in the shape of the good government league, composed of patriotic and progressive business and professional men.

While much of the recent strength of the Socialist vote is admittedly traceable to the war and represents largely a protest vote against policies both local and of the federal government, this same friction aroused the other forces, particularly the women, who vote in school elections, and whose active work in the campaign was largely responsible for the non-partisan victory.

In the opinion of a great many, the campaign illustrates the need of some strong progressive organization around which the local forces of good government can rally for a campaign. A start toward this has been provided by the organizers of the new good government league.

Milwaukee has been unfortunate, or fortunate, whichever way the observer cares to view it, in having had two extreme social and political viewpoints,—the radical represented by the Socialist organization, and the conservative policy supported by loosely co-operating anti-socialist politicians. The progressive or liberal element, which in most cities has taken the lead in civic and public affairs, has constituted politically a very small minority in Milwaukee. The league is the first attempt at "fusion" under liberal leadership.

In the school election the Socialist vote showed a gain of some 90 per cent against the non-partisan gain of 70 per cent. Of over 90,000 male voters registered, but 50,000 voted.

WILLITS POLLOCK.

◆

Seattle Re-elects Councilmen.—A clean-cut fight was waged in connection with the election to the city council. Organized labor put three candidates into the field for the three positions and backed them solidly. The three incumbents joined forces. The conservative forces did some very quiet but effective work in the way of getting out the vote. The *Labor Union Record*, a very radical paper that had supported the strike, and generally very unpopular outside of labor circles, came out with an editorial in which it said that the political welfare committee of the central labor council had investigated the three labor candidates and had been satisfied that they would represent labor in the council and always act according to its direction. This editorial was used effectively. The municipal league passed strong resolutions condemning the candidacy of any men so bound in advance to accept the dictation of any organized group. The result was that the labor ticket was defeated by majorities ranging from 6,000 to 8,000.

Looking at the situation impartially, one cannot close one's eyes to the fact that labor domination of the political affairs in this city is not unlikely in the near future. Their candidates in this instance were running under very considerable handicaps. Their opponents were the three incumbents with all the advantage of being in. In addition to that, the three men were unusually strong men and well known. R. H. Thomson had been for more than twenty years city engineer and responsible for much of the development of this city. William Hickman Moore, another candidate, was a former judge of the superior court, a former mayor of Seattle and a former member of the state legislature. Mr. Fitzgerald, the third, had been chairman of the finance committee and a member of the council for the past six years. More than that, the labor candidates were all regarded as tainted with un-Americanism, with perhaps one exception. In fact, Mr. Gallant, one of the candidates, was actually under arrest charged with criminal anarchy. In spite of all these handicaps the labor ticket drew a surprisingly large vote.

It should be said, however, that the total vote was but a small fraction of what it ought to have been in so large a city, as many people had disfranchised themselves by failure to register. The conservative faction was more thoroughly aroused than at any time in my memory. The slogan, very cleverly phrased under the circumstances, was "Shall the Seat of the City Government Remain at the City Hall?" Unlike many slogans, this represented pretty accurately the real issue.

Fred W. Catlett.

III. JUDICIAL DECISIONS

Paving Intersections.—In *South Park Commissioners* v. *Chicago City Railway Company*,[1] the Illinois supreme court decided that a city and a city park board cannot exercise power in the same territory over the same subject at the same time and that where a street railway company upon obtaining its franchise obligated itself to a park board, having jurisdiction of streets, to pave certain street intersections, not required to be paved by its franchise from the city, the contract was void and without consideration since the company derived its right to operate from the city council, the park board granting nothing.

*

Residential Zone.—In *State* v. *Houghton*[2] the Minnesota supreme court decided that in Minneapolis, a residence district having been established, one asking to erect a factory therein has the burden of showing that the proposed industry will not impair or seriously interfere with a proper enjoyment of the property in such district for residential purposes. The writ compelling the building inspector to issue the permit was denied and this was affirmed by the supreme court.

*

Elections.—In *McKinney* v. *Barker*[3] the Kentucky court of appeals held that the legislature cannot provide that the minority candidate for an office shall be declared elected when the majority candidate has been guilty of corrupt practices, where the constitution provides that the incumbent of such office shall be *elected* and that elections shall be free and equal, since the word "election" requires a majority or plurality vote.

*

Gas Rates Under Franchise.—In *Bismarck Gas Company* v. *District Court of Burleigh*

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[1] 122 N. E. 89.

[2] 170 N. W. 852.

[3] 203 S. W. 303.

[4] 170 N. W. 878.

County,[4] the North Dakota supreme court has held that since the franchise under which the company was operating fixed the highest rate that might be charged, the gas company has no right to charge for gas any sum in excess of the limited rates.

◆

Assessments.—The charter of the city of St. Louis, adopted by vote of the people under authority of the constitution is in effect a legislative act within the principle that when an assessment is made in accordance with a fixed rule adopted by a legislative act, opportunity to be heard in advance on the question of the amount and extent of the assessment and benefits is not essential to due process. The second line of attack on the assessment was based on the fact that the cost of the street improvement was assessed against the abutting property according to area rather than according to the front foot. The supreme court of the United States, feeling that the abutting owner had shown no arbitrary or unequal results, sustained the Missouri supreme court in its decision in favor of the construction company which paved the street in *Withnell* v. *Ruecking Construction Company.*[5]

◆

An Extraordinary Opinion from the Washington Supreme Court.—A recent decision of the supreme court has accomplished a revolution in the bond situation. It had always been supposed that the percentage limitations upon the amount of bond issues by the different municipalities were based upon the assessed value of the property within those municipalities. This decision of the supreme court seems to say that the percentage is to be figured upon the actual value. As the actual values are double the assessed valuation, all of the municipalities under which we live here in Seattle, and we happen to live under five, would find their bonding powers enlarged just one hundred per cent. For instance, the port commission, instead of being limited the eight million, a few hundred thousand, finds its limit to be over seventeen million. It seems to me that the great difficulty in the practical application of such an interpretation will be the difficulty in ascertaining what the actual values are upon which to figure the percentage. A limit of that sort, which may invalidate bonds, ought to be very precise and definite and absolute, known to everybody or capable of being easily ascertained by figuring. Such an increase in the bonding power will also tend, I should imagine, to depreciate the price of bonds in this section. It is reported that the bond firm of Caldwell, Massilich & Reed of New York, which advises most of our municipalities here, has given its opinion in favor of the new interpretation.

Fred W. Catlett.

IV. MISCELLANEOUS

Boundary Guide Posts. — Baltimore is erecting 300 guide posts placed 800 feet apart around the city to indicate the boundary of greater Baltimore. As a part of the same movement a large map covering all the proposed boundaries for the new city is in the making and will be a complete model for the development of territory covering all parks, boulevards, railways and the like.

Colonel Henry M. Waite, who was Dayton's first city manager before he entered the United States army, was given a cordial reception on his return to that city for a few days. He was entertained first at a dinner given by the various civic organizations of the city, then at another dinner given by 250 of the city employes.

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[5] 39 Sup, Ct. Rep, 200.

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NATIONAL
MUNICIPAL REVIEW

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VIEWS AND REVIEWS

I

AT the April meeting of the Council, Mr. Woodruff announced that he would not be candidate to succeed himself as secretary of the National Municipal League when his term expired next December. His letter, published elsewhere in this issue, gives his explanation that twenty-five years is as much service as we have a right to ask.

This is momentous news for the league. For a quarter-century the league, like every league, has been the lengthened shadow of its secretary although ours is less a one-man organization than any other of its type. Mr. Woodruff makes committees and members work despite the intervening distances, as no other secretary of a national organization ever did. He nurses hundreds of mildly interested inquirers into helpful members. He keeps track of the civic and political situations in scores of cities, and in the annual reviews that have been a feature of our conventions, he has written an authoritative and minutely complete history of the rise of municipal government in America from the position of the "conspicuous failure" of our politics to the rank of our best political unit. He founded the league, and for many years served it without salary and later with a salary that was merely nominal. The best proof of his organizing ability is the fact that he has so trained other shoulders to share the load that he can slip out from under the burden without necessarily causing disaster.

Happily this is neither obituary nor farewell. He will be with us in one active capacity or another as a volunteer for many years to come, enjoying a good will that is both wide and deep.

II

DURING the war the Bureau of Municipal Research in New York was seriously hampered by reason of the need for its young men in government service. Now as the work reopens, the vision of Dr. C. A. Beard, its present director, begins to show itself in the new direction and more definite purpose of the bureau.

No longer will it have trade secrets. Its great questionnaires will be available freely and the city which believes it can survey itself will be encouraged to do so. The bureau's accumulated information in the art of municipal administration will be gotten into type and disseminated in pamphlets for laymen, handbooks for officials, and short intensive lecture and correspondence courses in special subjects for various classes of public officers: *e.g.*, a six weeks course in public health administration for health officers. The bureau will still stand ready to make surveys anywhere on demand or to instal its systems of administration. One important new step is into the field of public utilities and franchises. The bureau continues to watch and help New York city and Albany, but the establishment of ideas that can be widely circulated and adopted will be the primary goal of its researches and publications, and the Training School for Public Service becomes the hub of the whole wheel.

Co-operation with this League and REVIEW is involved deeply in Dr. Beard's plan. Our committees, if projecting important studies that constitute good training for his students, will obtain students on bureau stipends as secretaries. Our REVIEW is adopted as the logical outlet for suggestive bureau material. The opportunity thus to publish stimulates the students and we in return are invited to suggest inquiries which we want to have made and written up.

III

THE Bolshevist program calls for (1) self-government in industry and (2) imposition of working-class political rule upon all other classes of society without the consent of the governed, bourgeois classes being disfranchised.

Industrial self-government is an interesting proposition and certain English shop-committee experiments in that direction have won approval on their merits from the ministry of munitions and enlightened British employers. If advanced by the use of reason instead of passion, the idea is due to grow in America.

The dictatorship of the proletariat, however, flouts and affronts an American sense of fair play which centuries of town meetings and free elections have developed into the most unfailing of our political factors. Slavs and Latins gaze astounded at the good nature with which our defeated factions read the newspapers the morning after election. Urge a Russian Bolshevist to be a good sport about it and take his chances on being able to persuade a correctly representative assembly of the availability of his schemes for the general welfare and he would stare at you uncomprehendingly. But to an American, this theory of conduct would be axiomatic.

IV

EXCEPT to a few! I. W. W. leaders there unquestionably are who prefer direct action to slow persuasion. They have brothers, such as certain of the single-taxers who, if they had the power, would impose their formula on a state without taking chances on any referendum, certain of the prohibitionists to whom it means nothing that great blocks of population are going dry unwillingly, certain of the suffragists who see no harm in sending southern women to the polls by a federal amendment for their own good if they will not enfranchise themselves by local effort, certain chambers of commerce that would press a good municipal charter through the legislature while the town is still asking bewildered and suspicious questions, certain tories who would suppress unfamiliar ideas by policemen's clubs.

No matter how precious the reform or how cock-sure we may be of its merits, we have, and must keep, in America an almost universal tolerance of honest opposition and a patience with the slow processes of democracy which do more than the Atlantic ocean to set us apart from the perils of Russian torches.

V

Radicalism is like steam, explosive under repression but harmless though spectacular when the lid is off.

In a town where there is industrial unrest, the civic secretary is in a fine strategic position to keep the lid off. He has the confidence of the steady respectables from whom the chief of police gets such ideas on social questions as he is likely to have. He can persuade these respectables away from the short-sighted policy of making heroes and martyrs of radical leaders by police "schrecklichkeit" and toward the policy of inviting these leaders out into the open where they promptly lose their portentious mystery and fearsomeness. He can give the radicals the floor at his Saturday luncheon—the police won't raid them there—and their speeches will get into the newspapers.

Forthwith several important things are due to happen. The radical leaders are found to be neither so crazy nor so alarming as expected; what they say is fully published instead of what shrieking editors imagined they said; they lose their pet contention that the other side will listen to nothing save force; they have put their ideas into print and their sayings, if foolish, are quoted and analyzed evermore to their confusion; the tension is relieved.

And the club members who objected apoplectically to such recognition of the radicals, turn up from their rear seats at the end of the meeting to congratulate the secretary.

THE OLD ORDER CHANGETH

The charter commission at Muskegon, Michigan, has voted to adopt the model charter of the National Municipal League including city manager and proportional representation, following the Kalamazoo adaptation.

* * *

New City-Manager cities:

Suffolk, Virginia	7,000 population
Lapeer, Michigan	4,000 population

* * *

Under the mandate of the new Massachusetts constitution, a joint legislative committee on administration and commissions has reported a plan consolidating over a hundred state bureaus, boards, commissions and isolated offices into twenty single-headed departments. Sixteen of the department heads will be appointed by the governor. The other four are the minor state officers whom the constitution makes elective.

* * *

A state-wide optional city-manager law has passed the senate in Illinois.

* * *

There are now twenty cases of promotion of city managers from city to city, according to the records of the city managers' association. This includes several cases of managers who have moved up twice.

* * *

Kalamazoo has enjoyed for just a year the benefit of an accurate copy of our Model Charter. The *Kalamazoo Gazette* states:

"The commission-manager form of government has made a splendid beginning; it promises all we have hoped of it. The present commission has proved itself able and devoted to the public welfare. The manner in which it has handled the problems of public health, street-car fares, war measures, budget appropriations, the reconstruction of the police and fire departments, in personnel and equipment, and scores of other matters has justly won the highest approval. The wisdom and the swift, direct action marking the decisions of the commission have been a welcome relief to a community so long saddled with city governments which openly flaunted the will of the electorate and which talked and quarreled instead of getting things done. It has become increasingly evident as the city commission has swung into its stride that we have at last a government which is thoroughly responsible and anxious to be the servant of the people."

A FEW OBSERVATIONS ON THE ADMINISTRATION OF CIVIL SERVICE LAWS

BY A CASUAL BY-STANDER

STUDENTS of government are frequently warned by their professorial friends that they cannot impose upon a city a higher standard of municipal administration than the city will itself elect to establish and maintain. If the occupants of the professorial chairs would use the particular to support their general declarations, they would insist that New York and Chicago had appraised their government with scientific precision and had selected Messrs. Hylan and Thompson to accomplish their desires. Such an assumption is based upon the improbable theory that the record of municipal administration can be dramatized into an election issue. It imputes to the voter a low order of intelligence, disconcerting to those who never lose faith in democracy, despite the Hylans and the Thompsons. No one would seriously allege that in the selection of Hylan as against Mitchel, New York issued a mandate to wreck the fire prevention bureau or radically to lower personnel standards in the health and police departments. If it were possible to strip the shadows of misrepresentation and personalities from the actual issues of the campaign, the voice of the people would be triumphantly in favor of decent, democratic government.

CIVIL SERVICE LAWS WITH WISDOM TEETH

Pickwickian as this preliminary introduction may seem, it is submitted to sustain the position of the Casual By-Stander, that the remedy for mediocrity, inefficiency and corruption in the civil service, is *more civil service laws with teeth*, placed on the statute books by direct action of the people, who in a clear issue disregard the ward-infected councils and the district-leader-controlled legislature. A recent case in Colorado is distinctly pertinent. The Rocky Mountain state at the last election showed its resentment at the record of the legislature, which had stamped upon the merit system whenever it had the chance. The Denver civil service reform association decided to incorporate in the basic law of the state a comprehensive civil service provision which delegated to a commission exclusive jurisdiction over employment, directed the erection and maintenance of personnel standards and insured a continuing minimum appropriation for the control of the civil service.

Up to this point our western friends were not only radical but courageous. Their imagination, however, stopped with the organization of the commission itself. To carry out the constitutional mandate, the governor was authorized to appoint a commission of three persons to receive a salary of $2,500 per annum, in a state where such a rate of compensation could not fail to attract the perennial office holder, who knows little about employment and nothing of the rapid but constant changes in our approach to management and personnel problems.

POPULAR SUPPORT FOR THE MERIT SYSTEM

After a vigorous campaign, the voters in November, in the face of opposition from the machines of both parties, rolled up a majority of 35,000 in favor of the competitive principle. This was interpreted as a clear-cut rebuke to the legislators and the governors who had endeavored to emasculate the law. It would be extreme to suggest that the people were handed a gold brick on election day. To give such an impression would be erroneous. As a direct result of the election, there has already been a marked improvement in administration, but Colorado did not vote in November in favor of the appointment of three politicans as members of the commission. The people voted in favor of the appointment of three persons in sympathy with the merit principle and technically equipped to enforce its application. The governor appointed three politicians, all of them eminently satisfactory to the organization. Would the stockholders of a large company deliberately place in charge of the management and direction of its employes executives who were either deliberately hostile or luke-warm toward their program of activities? The question carries its own answer in the negative. To continue the figure of speech—a civil service law for Colorado with a full set of ivories including wisdom teeth would guarantee the achievement of the purposes of the stockholders to secure genuine civil service. The "wisdom teeth" include a law compelling the governor to appoint as members of civil service commissions persons equipped for the important task of re-classifying and regrading the service.

To turn from the West to an eastern city where a fairly adequate civil service law has operated for some years. In this eastern city you find a stockade surrounding the lower ranks of the civil service, with the civil service commission doing its best work through its examining division, itself under the merit system. The commission is essentially an examining agency, devoting only a small part of its activities to the function of recruiting, promoting, transferring and retiring employes. The higher ranges of the service, requiring qualifications of a managerial or technical nature, are closed to those in the "stockade." It is the exception and not the rule that administrative positions are filled from the merit ranks. In the few cases where the merit principle has been applied to higher municipal offices, there have been some tragic results for some individuals. The important official eminently qualified for his job is invariably made a bright and shining mark with a change in the administration.

A CIVIL SERVICE COMMISSION AS A WRECKING CREW

There is no such thing as a career in the higher ranges of the public service in the sense that there is a career in business and the professions. The history of municipal politics contains frequent instances of raids upon professional services by chauvinistic, provincial spoilsmen.

It is no longer possible to question the practicability of examinations for offices requiring expert qualifications falling within the operating departments of government. What is needed is stability of employment and administrative freedom to attain certain fundamental social purposes.

Many a mayor apparantly regards the civil service commission as the chief agency to assist him in wrecking a public welfare department, placing his family physician in charge of its infinite destinies. We are all familiar with that huge engine of fire prevention, whose chief function is to reduce the fire hazard rather than extinguish the conflagration once started. If a Baron Munchausen of the Bushwickian Municipality were to announce the appointment of a horse doctor as chief of such a great instrumentality—such a designation would be denounced as an impossible joke. When the veterinary surgeon is later indicted for corruption, the joke becomes a ghastly one and we are led to ask who shall protect us from those whose duty it is to patrol and guard the stockade. The relatives of the victims in the terrible Triangle Factory fire had a right to expect that the official in charge of the bureau organized to make holocausts impossible would at least be honest and possess a certain mediocre ability. If the municipal commission had listened attentively to the civic bodies of New York the place would be in the competitive class. The appointment of the horse doctor would be of no special interest to the grand jury in the month of March, 1919.

MEDIATION COMMITTEES AND DEPARTMENTAL DISCIPLINE

In such a record, it becomes inevitable that the men and women in the stockade have grievances, imaginary and real, with no outlet, no board to ventilate and remove the causes. If it be an indisputable fact that our health departments, fire prevention bureaus, industrial commissions require in their operating departments men and women possessing not only technical ability, but a high order of executive capacity—it is a matter of paramount importance to place in the civil service commission itself, technical and executive qualities of a high caliber. If it is expected to have a commission of three members as a concession to the executive who believes that the commission is a vest pocket possession and to those who recognize that a member of the mayor's cabinet frequently procures more funds from those who hold the purse strings, it is desirable to authorize the mayor to appoint one of the commission, and preserve the other two members to the merit and efficiency system with voting power. To one assign the important function of recruiting and examining for the civil service; to the other control over organization and personnel. Recognize that the autocratic military system of hiring and firing is on its knees taking the count. As a democratic substitute there should be developed in the city departments, committees or boards of employes to consider grievances and exercise control over petty and major matters of discipline. Such committee decrees to become final when approved by the civil service commissioner, who is himself a competitive officer.

THE SOCIAL RIGHT TO ORGANIZE

Instead of flinging a challenge to the employes over the right to organize, insist upon such organization subject to reasonable regulation. The employes will agree that the incorporation of their organization is reasonable. If the employes committees function through the civil service commission providing a remedy for grievances, the organizations will not quickly throw into jeopardy the operation of a great public utility. It should be remembered that it was only in March, 1919, that the French chamber of deputies guaranteed to a large number of governmental employes the right to organize. This action was a complete reversal on the part of the deputies.

as it will be recalled that the postal strike of a decade ago was settled by calling the men to the colors.

POLITICAL ACTIVITY OF PUBLIC OFFICERS

Prohibition against participation in political movements by public employes never impressed the politicians as human and democratic. Confronted as this country is with a rapid increase in the number of governmental and quasi-public employes—perhaps 5,000,000 persons work under the federal, state, county and city laws—we should carefully appraise the present regulations against participation in politics. No one would challenge that whenever participation in political movements interferes in the conduct of the public office, the civil service commission should be able to step in and curtail or terminate such participation. The conservative Republican and the radical Socialist, both of whom believe in the competitive principle, would disapprove activities which in any way restricted the operation of public business.

A civil service commission, itself responsible to the people, can be relied upon to control, under certain broad limitations, the activities of public employes, particularly where a majority of the commission might naturally sympathize with the aspirations and hopes of the rank and file of the employes and at the same time reflect the attitude of the head of an operating department. Civil service reform should not lose the vigorous support of that growing group of liberal men and women, who would hesitate if not decline to underwrite on their application blank for public appointment a statement that during their tenure of office, they would not preside or take part in any public meetings.

If there be a moral to point to from these casual expressions of opinion, it is that the reformers should believe in and take their own medicine, but let them be radical advocates of their principles, unwilling to surrender their jurisdiction to the compromising, perennially stupid political machine. At the same time they should constantly challenge the old doctrines and adjust their principles to new facts.

What is good for American cities is that which has been tested in the laboratory of municipal experience. "It has never been done" is an excellent reason for doing it.

THE MANTLE OF PLUMMER IN MONTANA

BY WADE R. PARKS
Thompson Falls, Montana

I

MONTANA to-day is but a short way removed from the real primitive. Less than fifty years ago the larger part of the population of Montana consisted of adventurers, prospectors, free-booters with a sprinkling of desperadoes, many of whom had come to Montana from California, where they had congregated as a result of the gold excitement following the discovery of '49. It is a common belief amongst old timers that the California influx was also seasoned by numerous deserters and "copper heads" from the "states." It might be expected that many of the traditional customs may be found clinging to civilization's means and methods. And we know that properly to value and appreciate the present we should know the past, for out of the past the ethics, morals and the ideals of the present, to a great extent, have been drawn.

Often the officer of to-day was a child twenty, thirty or forty years ago who was filled and thrilled by the vision he saw in the blood and thunder stories found in the dime novels or heard in the saloon or roadhouses of those early days. And to know Montana it is necessary to know these stories for they have their foundation in fact. The writer will not lead the reader into the realm of fiction to catch a glimpse of the environment and the resulting ideals which were a factor in shaping our institutions and laws and the influences which have descended down to the present. The *New York Daily Sun* on January 6, 1896, contained an article illuminating western ways of early days and the Montana mountaineers as they appeared on the stage of action only thirty years previously, reciting a startling statement of facts stranger than fiction, a recount of which may serve the student of social psychology with wholesome food for reflection. The *Sun* story is of the reign of the road-agents and the advent of the vigilantes before the coming of the law and the accompaniment of institutional furniture that goes to make up the modern state. In contrast to civilized conditions the story says: "Respectable citizens lived always in terror. Everybody knew the authors of the crimes that followed each other in daily succession, but nobody uttered his suspicions or proclaimed his knowledge. To speak out was to invite sudden death. There was no law to appeal to. The only constituted authority was a so-called sheriff. Nothing better illustrates the conditions of society at that time and place than the circumstances that the office of sheriff, both at Bannock and Virginia, was held by Henry Plummer himself (Plummer was the king of the road-agents), and that his deputies were Buck Stinson, Ned Ray, and Jack Gallagher, three accomplished desperadoes, selected on civil service reform principles from his own band of highwaymen." Prior to coming to Montana, Plummer "had served as city marshal of a California town, . . . had taken part in an attack on Wells & Fargo Bullion

Express, and had murdered not less than three men in that state. Plummer had a reputation as a lady killer, and by his own sex he was respected as the quickest and surest revolver shot in the mountains. . . . He was ambidextrous with the revolver. This consummate villain maintained almost up to the end of his career the semblance of amicable relations with law and order, and it was one of the polite conventions of life at Bannock to consult him as sheriff in cases of violent crime. He met on equal and friendly terms, during the day, the men he had already marked as the victims of that night's enterprise. . . . In a few months preceding the time of the first uprising against the power of Henry Plummer, not less than one hundred and two known murders had been charged to the account of this gang."

II

The beginning of the end of the Plummer form of plunder was the murder of a German, named Nicholas Tbalt, in the Stinkingwater Valley, for the price of two mules. One of Plummer's men was caught red-handed. Given a trial in the open air which was prosecuted by Wilber Sanders (who became a United States senator after Montana attained statehood), the jury brought in a verdict of guilty. Fearing that the advent of Plummer, who was several miles away during the trial, might overthrow the findings of the court and jury, the prosecutor moved that the convicted man be hanged on the spot immediately, and within fifty-eight minutes his body was dangling from a forty-foot pole. Following this incident border justice seems to have been dealt out with despatch until the Plummer plunderbund was eliminated from western life.

III

But the memory of the exploits of Plummer is with us, and doubtless the ideals and the system of the days of Plummer have their survivals here and there. In very recent years the county attorney and sheriff have been entertained in saloons and roadhouses where gambling was being indulged in and where wine, whiskey, women and beer were brought in contact with strange, rough and wilful men; where everybody "joined-in" when the flowing liquors were passed. It is observed that often boot-leggers, gamblers and others of a shady reputation in modern days are the best of friends with some officers of the law, and vice versa.

Another rudimentary symptom surviving in the very present is the readiness and habit some sheriffs have of assisting in numerous ways those accused of crime. And the greater the crime the greater the aid given; it has become a custom in some localities for the sheriff to form an alliance with the accused of crime and to play up the public prosecutor as the only enemy of them all, and a smart sheriff with a subservient press becomes such a diplomat that he gets away with these goods. Sheriffs have recently been seen upon the witness stand in behalf of the accused in murder cases. It counts for something in a criminal case of any kind to win the prestige and good will of the sheriff's office for the defense. Lawyers who have a standing at the bar will not hesitate in advising the willing sheriff how he may best assist the defendant in a murder or other criminal case.

IV

Very recent history of the sheriff's office in Montana discloses at least one seeming striking parallel to the subtleties and duplicities in the method of Sheriff Plummer of old. One illustrative incident involved conspirators, of whose activities, schemes and designs the sheriff had full knowledge, procured from a too pliant justice of the peace a warrant of arrest based upon a false charge accusing the county attorney of grand larceny. And the willing sheriff played his part and performed the arrest with all the formality customary in taking a real criminal in charge in a civilized community, and the prosecutor had to give a bond for his appearance before the magistrate in order to avoid being thrown into the very jail where some of the said conspirators were then incarcerated. Such a farce as this can be pulled off with practical immunity in Montana, where falsely and maliciously charging of one with a crime and causing his arrest therefor is only a misdemeanor.

But equally insidious and more far-reaching is the case where lawyers and attaches of the sheriff's office have conspired and procured a convenient magistrate to issue a search warrant upon the affidavit of culprits incarcerated in the county jail, which search warrants were issued for the purpose of seizing and taking from the prosecuting attorney evidence in pending criminal prosecutions. And it certainly was a refinement upon the Plummer system to witness the spectacle of the sheriff, armed with the search warrant thus procured, proceeding to invade the prosecuting attorney's office in company with the accused, and then and there making search for the evidence which formed the very basis of the criminal charge upon which the defendants were afterwards convicted. No highwayman of the Plummer calibre ever conceived the idea of having the sheriff command the public prosecutor in his very office to throw up his hands at the beck of the sheriff, and of having the sheriff in broad day light search the person as well as the office of the prosecutor and take the keys of his public and private apartments into his possession!

V

All the incidents in the last two paragraphs have occurred in the last three years and show that the frontier days are not so far away in Montana. The thoughtful and wise will see a striking parallel between such instances and activities and methods of Sheriff Plummer's plundering band of murderers of pre-vigilante days of sixty years ago. And to the biologist and sociologist such phenomena in recent times will be treated and classified as the rudimentary survivals of the real primitive of the old frontier days.

THE FATE OF THE FIVE-CENT FARE

SERVICE-AT-COST IN BOSTON

BY T. DAVID ZUKERMAN
New York Bureau of Municipal Research

As a side-light on the New York City traction problem, the Bureau of Municipal Research carefully reviewed and here presents the Boston experience with public operation combined with private ownership.

THE electric railway industry is today the "sick man of business." It has come out of the war in much worse shape than other staple industries and is still facing a crisis. A material portion of the street railway mileage of the country is in the hands of receivers; not a little has been abandoned and sold for junk; and both processes are being continued. That the situation is no worse than it actually is can be ascribed to the mildness of the winter through which we have just passed as well as to the ending of the war.

DIFFICULTY OF MEETING TRACTION PROBLEM

The traction managers and investors are clearly at a loss as to the solution for the problems they are facing. When the need for additional revenues became insistent, apparently the one method of meeting it that appealed to the traction interests was an increase in fares. The evils of the industry were attributed to the fixed price at which transportation was being supplied. Now, however, that the companies operating in nearly four hundred communities throughout the country have been granted increases in fare—in many cases two or three times—ranging from 20 per cent to 100 per cent, it is becoming more and more evident that the fare increase in itself is not a panacea for the ills from which the street railways are suffering. The results are distinctly disappointing. That such is the case is frankly admitted by prominent traction managers and financiers.

SERVICE-AT-COST FRANCHISE THE PROPOSED SOLUTION

The last hope of railway men for private ownership and management seems to be the service-at-cost franchise, which furnishes that public co-operation which they now confess is vitally necessary for successful operation. Service-at-cost franchises have been granted in various forms during the past year in Dallas, Texas; Philadelphia, Pennsylvania; Montreal, Canada; Chicago, Illinois; and Cincinnati, Ohio. The legislature of Massachusetts has taken the most radical steps to find a solution for the situation by passing a general service-at-cost act of which any company in the state may avail itself. That body went much further, however, in the case of the Boston Elevated Railway Company, which serves the metropolitan area of Boston. The Boston Elevated Act, passed in 1918, provides not only for automatic adjustments in the rate of fare to furnish the revenues necessary to cover all legitimate operating costs, including adequate maintenance and depreciation and a guaranteed dividend; it also provides for payment by the state of any deficits that may nevertheless be incurred.

Traction officials have since been casting envious glances at Boston. They listened with intense interest to Mr. Homer Loring, at present one of the public trustees of the reorganized Bay State system, when, at a conference of the American Electric Railway Association on November 1, 1918, he described the "methods used in Massachusetts" to overcome the opposition to such legislation.[1] They are exerting pressure to secure similar consideration for themselves. On the other hand, it is said that the mayor of New York City entered into negotiations with the president of the Interborough Rapid Transit Company with a view to handling that city's traction problem in like fashion in the public interest.

Accordingly there is much of value to be gained from a study of Boston's experience. The situation in that city, since the Boston Elevated Act took effect, illustrates forcibly the difficulties faced in any effort to solve the problem of furnishing transportation under present conditions.

BOSTON TRANSIT PROBLEM CONSIDERED IN A SERIES OF INVESTIGATIONS

The troubles of the Boston Elevated were but intensified by war conditions. The company was facing financial difficulties even before the outbreak of the war. The situation became so acute in 1913 that the Boston transit commission and the state public service commission sat as a joint board to consider the company's affairs. Again in 1914, the public service commission made a complete investigation at the request of the legislature.

SPECIAL COMMISSION OF 1916

Two years later the directors appealed to the governor of Massachusetts for a special commission of inquiry to suggest possible legislative remedies for the difficulties confronting the company. Reaffirming their belief that the fare charged was inadequate, they insisted on the necessity for a radical increase in revenue. The governor transmitted the appeal to the legislature which complied with the request. In accordance with the suggestion of the directors the special commission appointed included the members of the Boston transit commission and the public service commission, all of whom were familiar with the local problem.

The report of this special commission, submitted to the next legislature, showed that the situation, whatever the causes, was clearly one calling for definite action "even if viewed solely from the standpoint of public necessity. The present stoppage of new capital will, unless the impediments are in some way removed, create at no distant date intolerable transportation conditions within the metropolitan district."

To provide the company with capital for its needs, the commission recommended the purchase by the state of the Cambridge subway, the only tunnel privately owned, involving $9,000,000, the return of the $500,000 deposited when the company's charter was granted, and the sale of property unused or unfit for transportation purposes. It was further recommended, in order to reduce the company's expenses, that subway rentals be imposed gradually or temporarily capitalized in order that the entire burden should not be felt until the traffic was sufficient to permit payment in full, that similar capitalization of replacements be permitted, and that prepayment areas be established to prevent transfer abuses. A more radical proposal was the abolition of the "Compensation Tax" of seven-eighths of one per cent on gross earnings, imposed by the company's charter.

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[1] His paper was printed in full in the November issue of *Aera*.

As an alternative to a fare increase in any form, which was considered difficult and impractical, the commission suggested the temporary remission or loan to the company of as much of the general taxes and corporate franchise tax as might be necessary to permit the payment of dividends. Throwing the burden on the taxpayer in that way was justified on the ground that others than the riders benefited from transportation facilities.

Acting on the report of the special commission, the legislature adopted a measure to effect practically all the specific recommendations except the purchase of the Cambridge subway, which the governor opposed on the ground that it might serve as a precedent for numerous requests upon the state government to provide transportation facilities elsewhere. As the most urgent recommendation called for a thorough investigation into the affairs of the Boston Elevated Railway Company, $15,000 was made available to the public service commission, which engaged an expert for the purpose.

INVESTIGATION BY PUBLIC SERVICE COMMISSION IN 1917

The results of this inquiry were made public in a report presented to the legislature early in 1918. This report was supplementary to that of the special commission and its findings were practically similar. It stated that the company had been honestly capitalized and managed. The dividends had always been moderate—in fact even more moderate than was apparent because of the cash premiums paid on most of the securities issued. The difficulties of the company were attributed to wage increases, rising costs of materials and the heavy capital burdens imposed by the subway rentals. As a result the operating expenses and fixed charges during 1916 and 1917 had been increasing faster than the gross income, and the tendency was becoming even more marked. That the situation was no worse was attributed to the savings resulting from the abolition of the "Compensation Tax" and the decrease in the corporate franchise tax due to the lessened market value of the capital stock.

The analysis of the expert, summarized in the commission's report, showed that the general condition of the surface lines was very bad. The company had been "nursing" poor track; equipment and rolling stock were obsolete and out of repair. Except for the power stations and apparatus, which on the whole were in excellent condition, the property of the company was unsuited for present railway use, being "inheritances from horse-car days." Depreciation reserves were insufficient. In 1916, for example, the company had spent or set aside only one-third as much as was actually necessary for this purpose.

Operation, consequently, was thoroughly wasteful. The expense caused by delays and repairs due to frequent breakdowns of the faulty equipment was great. The cost of superintendence was excessive. So, likewise, was the cost of running surface cars in expensive tunnels on which the overhead alone amounted to as much as 79.6 per cent. It was estimated that a large annual saving could be secured from efficient operation.

To prevent the situation from becoming worse a thorough rehabilitation was absolutely necessary. Renewals neglected in the past would have to be made and all abandoned properties charged off the accounts. An average of $2,750,000 annually for five years would be required to place roadbed and track in good condition and to substitute modern equipment, improved shops and carhouses.

PUBLIC CONTROL RECOMMENDED

The commission held that it was imperative to take immediate steps to secure the essential transportation facilities and service at as small a financial burden as possible. Because of the exigencies of war it was believed that "private credit cannot be relied upon to achieve results." There was vital necessity for placing public credit, at least temporarily, solidly behind the system. Accordingly a plan was proposed providing for direct control by trustees representing the public. At the same time what were considered the advantages of private ownership were retained and the situation left in such form that at any time in the future the former status might be recovered without difficulty if such a course seemed desirable.

PROVISIONS OF THE BOSTON ELEVATED ACT

The recommendations of the commission were embodied in the Boston Elevated Act[2] mentioned at the opening of this article. The immediate result of its enactment was an increase in the price of the common stock from $27 to $75 per share. It provides for

1. Appointment by the governor of five trustees to serve as the board of directors of the company for ten years and to operate the lines owned and leased.

2. Repeal of the clause in the company's charter limiting the fare to five cents. The trustees are empowered, without recourse to the public service commission, to fix fares which in their judgment will produce sufficient revenue to meet the "cost of service." This is defined as including operating expenses, taxes, rentals, interest on all indebtedness, sufficient allowances for depreciation, obsolescence and losses on property sold, destroyed or abandoned, all other legitimate charges against income, dividends on preferred stock issued under the act, and a guaranteed dividend on common stock which was fixed at 5 per cent for the first two years and 6 per cent thereafter during the period of public management.

3. Provision of a $1,000,000 reserve fund, the condition of which would indicate the need for an increase or decrease in the fare charged, to meet deficiencies in income from operation. Any deficiencies incurred which cannot be met from this reserve fund must be made up by the state and apportioned among the communities served by the railway in proportion to the number of persons using the service.

4. Subscription by the stockholders to an issue of $3,000,000 preferred stock with cumulative preferred dividends at not less than par. Of this sum $1,000,000 was intended for the above-mentioned reserve fund, and the other $2,000,000 for additions and betterments to the property.

5. Public operation indefinitely after the ten-year period upon the same terms, until the state elects to discontinue such management and operation by legislation passed not less than two years in advance of the date of termination. The property must be maintained in good operating condition, depreciation, obsolescence, and rehabilitation provided, and the reserve fund kept at full strength if and when control reverts to the stockholders. In such event, furthermore, the company must be permitted to collect "such just and reasonable fares as will produce an income sufficient to pay the reasonable cost of service" as defined above including not more than 6 per cent dividends on the common stock. However, the state will not guarantee the deficits that may be incurred after the period of public control; and although the company will again be subject to supervision by the public service commission, regulation must not be such as to reduce the income below the reasonable cost of service.

6. Acceptance of the act by the stockholders to constitute an agreement to sell the company's assets in full to the state at any time during the period of public management for a payment

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[2] "An act to provide for the public operation of the Boston Elevated Railway Co.," chapter 159 of Special Acts of 1918. Enacted and approved May 22, 1918.

equal to the actual cash paid in by the stockholders on the stock outstanding and the assumption of all indebtedness.

The recommendation for the purchase by the Commonwealth of the Cambridge subway from the company in order to provide capital for future requirements at a low cost was renewed, but not acted upon. A bill is now before the legislature authorizing the public service commission to make an appraisal of this tunnel with a view to such purchase.

The stockholders accepted the bill and subscribed for the required amount of preferred stock. The governor appointed the trustees, who organized and assumed possession and management on July 1, when the bill went into effect.

OPERATING EXPENSES GREATLY INCREASED

During July several statements indicating the necessity for prompt action were issued by the trustees. Attention was directed to the fact that a deficit of $572,276 had been incurred during the first six months of 1918 with operation on a five-cent fare, and that the situation was becoming more serious because expenses were fast increasing. A wage award was pending before the War Labor Board which amounted to about $3,000,000 annually. The increased cost of coal is $500,000. The new Dorchester subway was opened, necessitating a payment of approximately $450,000 annually as rental. Furthermore the requirements of the act called for an additional annual expenditure of $1,600,000 for depreciation and $1,360,000 for interest and dividends on the new issues of stock and bonds, including the guaranteed dividend on the common stock. In all, the trustees were confronted with new expenses totalling $7,500,000 annually which had to be included in the "cost of service."

SEVEN-CENT FARE ESTABLISHED

To meet these new expenses, which increased the previous year's costs of operation by 40 per cent, the trustees established a seven-cent fare beginning August 1. They asked for patience and co-operation on the part of the public, and announced that considerable new equipment had been ordered for the purpose of improving the service.

There was apparently little opposition. The public, it was thought, would have as much faith in the trustees as in their other public officials —faith as to the needs and purpose of the increase. Indeed, the results of the first two weeks of operation with seven-cent fares seemed to indicate that the people were satisfied. The revenues increased 30 per cent above the revenues of the corresponding period of the previous year. In comparison with the experience of other electric railways in Massachusetts and elsewhere, this was a remarkable showing.

DEFICITS DESPITE INCREASED FARES

Even 30 per cent increase, however, was insufficient to meet the full needs for additional revenue. What is more, further experience proved that the psychology of the people in metropolitan Boston differs little from that of people elsewhere. The traffic decreased so sharply that for the full month of August the revenue increase was reduced to 23.79 per cent and there was a deficit for that month of more than $500,000. During the next two months the results were worse, and the deficits even larger because of the influenza epidemic, which affected Boston seriously. The November results approximated those of August, as can be seen by the following table:

	Revenue Increase	*Passenger Decrease*	*Deficit*
August........	23.79%	11.49%	$511,749
September.....	12.09	20.02	604,999
October.......	2.91	26.48	799,522
November.....	21.03	13.64	500,334
Four months	15.82	17.38	$2,416,604

For the four months under seven-cent fares, the revenues had increased only 15.82 per cent, and there was a decrease of 21,972,995 in the number of passengers carried. The deficit, in spite of the fare increase, was $2,416,604 which, with the deficit of $707,959 incurred in July under the five-cent fare, amounted to $3,124,563.

REVENUES FROM EIGHT-CENT FARES ALSO INSUFFICIENT

The results from the seven-cent fare were so disappointing that it was evident early in October that an additional increase was necessary under the law. Hence an eight-cent fare was announced beginning December 1.

One of the trustees expressed the opinion that because of the epidemic the seven-cent fare had not been given a fair trial. *The Boston News Bureau* of December 3, however, in a long review of the situation headed "God Save the Commonwealth," insisted that the only honest thing to do was to increase the fare to ten cents. The writer held that only such a rate could net the 50 per cent increase in revenues required. Even if the eight-cent fare should cause no further shrinkage in riding, it would not furnish sufficient revenues to meet the "cost of service" by nearly $2,000,000 for the balance of the fiscal year. As a further loss of traffic was certain, the deficit to be expected would probably be greater, indicating a deficit of more than $5,500,000 for the first year of public operation in spite of greatly increased fares.

The financial results from operation since November are shown in the following table:

	Revenue Increase	*Cost of Service per Passenger*	*Deficit*
December, 1918..	36.28%	8.778c.	$149,904
January, 1919...	.....	8.97	219,629
February.......	44.85	9.034	285,124
March.........	....	8.923	224,920

Just how to interpret the above figures so as to indicate the relationship between fare increases and revenue increases is not entirely clear. The year 1918 showed a general falling off in traffic almost everywhere even under the five-cent fare. The first six months of 1918 on the Boston Elevated showed a loss of 2.39 per cent in traffic over the corresponding six months of 1917 and the revenues for July were 2.89 per cent less than those of July 1917. It is evident that war conditions not only prevented the usual traffic increase due to the normal growth of population and development of the community, but that the influenza epidemic also restricted riding and rendered difficult any interpretation of traffic statistics. Normal conditions returning with the ending of the war, however, and the mildness of the winter through which we have just passed, especially as compared with the extremely severe weather of the previous winter, should have helped to secure extremely favorable results since December. Apparently, then, the situation is becoming worse rather than better.

TRUSTEES ASK FREE USE OF CITY-OWNED SUBWAYS

In their report covering the first six months of public operation, the trustees suggested that the company be relieved of the necessity of paying rent to the city of Boston for the use of the subways. They said: "One of the features of the street railway situation in Boston which is always noted by visitors acquainted with street railways elsewhere, is the extraordinary burden of subway rentals to be met from operating receipts. The trustees believe that to prevent deficits and eventually to secure a lower fare, it is essential that at least while the public is operating its own railway this charge to operating expense should be removed. The subways and tunnels are public highways built for general public convenience in order to prevent congestion on the surface of streets. No other form of travel or transportation pays through a special tax or assessment the cost of public highways."

This suggestion, however, was strongly opposed by the committee chosen by Mayor Peters to investigate financial questions associated with the operation of the Boston Elevated. This committee recommended, on the other hand, in view of the fact that the company had failed to provide sufficient for depreciation in the past, that dividends be reduced or eliminated entirely until operation showed profits instead of deficits.

ZONE SYSTEM PLANNED

From the start the trustees asserted the belief that it would be more equitable to devise some other method than a flat increase in the unit fare to secure additional revenue from operation. This belief was intensified when the ineffectiveness of such increase was apparent. Accordingly they engaged Professor Albert S. Richey and Peter Witt, former traction commissioner of Cleveland, to make independent studies of conditions and report on various possible zoning systems of fare collection.

Mr. Witt recommended one-cent zones to attract short-haul traffic and to compel each passenger to pay for the cost of his ride. Professor Richey, however, recommended three plans, all based upon the establishment of a central zone and an outer zone with fare units that would furnish revenue equivalent to that from seven, eight, or ten cent flat fares. He maintained that any system based upon the five-cent unit would not produce sufficient revenue. The chief advantage of the two-zone plan he recommended was the possibility of operating with the minimum of inconvenience in fare collection by the use of the pay-enter and pay-leave method. He also suggested studies of the feasibility of short routes with special low fares in the central business district to build up short-haul traffic as a convenience to the public and a producer of revenue.

To provoke discussion and test public sentiment on the subject, the trustees advocated the trial of a zone system based on Professor Richey's plan. This proposal was opposed in some quarters on the grounds that it would tend to cause congestion in the inner zone and make fare collections unduly costly and inconvenient. The trustees, however, were not convinced that the advantages did not outweigh the disadvantages. They accordingly announced the establishment beginning April 1 of a two-zone system with a five-cent fare in each zone.

At a legislative conference on February 21, Mr. James F. Jackson, the chairman of the trustees, argued that a zone system seemed to offer a way out of the difficulty and should be given a trial. He insisted that otherwise a nine-cent or a ten-cent fare would be inevitable, and the latter probable. Even if the company were to be relieved from the payment of the subway rentals, the lowest fare possible would be eight cents. A zone system would make possible a larger percentage of collections by preventing the present leakage due to dishonest conductors and some of the traveling public.

ZONING POSTPONED BECAUSE OF PROPOSED LEGISLATION

Nevertheless, a bill[3] was introduced in the lower house of the legislature to prevent the trustees from carrying out the plan to establish zoning in Boston. Another bill[4] was introduced in the senate to amend the Boston Elevated Act by compelling the return to the flat unit fare of five cents, the state to guarantee deficits from operation as before. In spite of the fact that constitutional amendment ratified last November prohibits the state from lending its credit to private corporations, the supreme court of Massachusetts has affirmed the constitutionality of this bill if passed. Both bills are in the hands of committees at the present writing.[5]

Under the circumstances, the trustees withdrew temporarily their plans for a zoning system, especially as its introduction would necessitate an expenditure of $100,000. In the meantime the fare remains at eight cents. A large number of former riders now walk and the jitney is becoming increasingly popular in the metropolitan district.

EMPLOYES TO DEMAND INCREASED WAGES

The situation is further complicated by the termination on May 1 of the wage contract with the employes' union. It is said that the wages committee has formulated and will present demands calling for the establishment of an eight-hour day and marked increases in wages. Any concessions which may be made will entail additional expense to the company and further increase operating costs.

PUBLICITY INEFFECTIVE TO OVERCOME OPPOSITION TO FARE INCREASE

Such has been Boston's experience with increased fares under the service-at-cost franchise. The widest publicity was given to the situation. The propaganda that secured the passage of the Boston Elevated Act was continued to ensure its successful operation. The trustees issued numerous statements taking the public into their confidence by showing them the exact state of affairs. Both the trustees and the mayor repeatedly warned the people that if the money was not forthcoming from fares, it would have to be secured by taxation. The traffic, nevertheless, fell off.

It is true that the majority of riders were willing, or compelled by necessity, to pay the increase. The financial stability of the electric railways, however, depends not on those who ride from necessity or who do not object to a higher fare than five cents. It depends rather upon the short-haul passenger who rides for convenience but walks when reminded of the cost. When fares are raised these elements of the population either move nearer to their work or encourage jitney competition. The jitney is always strengthened as a competitor where traction fares are increased. This is happening in metropolitan Boston. Its significance ought not to be underestimated.

EXPERIENCE OF BAY STATE SYSTEM

The Bay State Street Railway Company, also in Massachusetts, received four increases of fare in various forms in two years since October 1,

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[3] House bill No. 1467.

[4] Senate bill No. 54.

[5] The bill to prohibit zoning has since been voted down. The trustees will probably carry out their plans to establish such a fare scheme.

1916. The net result was only one-third the expected increase in revenues after all estimates had been made for shrinkage in traffic. Many parts of the system failed to earn operating expenses. The company recently received a fifth substantial increase of fare pending reorganization, during which the capitalization is being scaled down by $20,000,000. The company will operate under a service-at-cost franchise somewhat similar to the Boston Elevated Act. Fares are to be fixed at five cents. Deficits incurred will be divided evenly between the general taxpayer and the car riders.

OPINION OF MASSACHUSETTS PUBLIC SERVICE COMMISSION

These experiences are merely parallel to that of the other Massachusetts companies. That state has been more liberal in its treatment of the railways than any other part of the country. In the language of the public service commission, "No one can truthfully say that the raising of rates has not had a fair trial in Massachusetts. The six-cent fare originated here in 1905, and of late all manner of rates have been introduced. . . . The result has not been what was hoped. With all their raising of fares, our companies seem little nearer financial salvation."[6]

In a report to the legislature on the general situation in Massachusetts, under date of February 15, 1919, the commission made this pertinent comment:

> The present system, which throws the entire cost of service upon the car riders, apparently rests upon the assumption that the individual riders are the only persons who have any legitimate interest in the maintenance of good local transportation facilities. The fallacy in such an assumption is so obvious that it scarcely needs to be pointed out. In addition to the benefits received by individual electric railway patrons, there is a very large community benefit which can be measured by the losses in industry, trade, real estate values and other forms of community wealth which would result if all electric railway facilities were suddenly blotted out.
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> For this benefit, up to the present time, the community has paid nothing and has succeeded not only in unloading its legitimate part of the transportation burden upon the shoulders of the car rider, but also in making him pay, in addition, a portion of the cost of general municipal improvements through the imposition of special taxes and public charges. The only justification for the existing system is the fact that the burden is so widely distributed that fares in the past have been relatively low and their payment has involved no special hardship.
>
> But when the car riders are compelled, as a large proportion of them now are through reductions in fare zones and increases in the unit of fare, to pay increased fare varying from 100 per cent to 400 per cent, the inequality of the per cent system is thrown into strong relief. The burden is one that the car rider not only ought not to pay but, to speak broadly, cannot pay under present economic conditions.

Accordingly, the commission faces the issue squarely and takes the definite position that public ownership and operation is the only final solution.

Inasmuch as transportation is necessary to prevent congestion, maintain good living conditions, and to develop the outlying districts, the commission insists that the street railways are a public necessity just as the schools and the drainage systems, and even more essential than the highway system. Considered in that way, the fare may be regarded as a form of taxation. The problem thus becomes one of taxation, to be dealt with as such, and in a fashion that will produce the best results for the state. If the results desired cannot be secured by continuing the present method of placing the burden entirely upon the riders, "prejudice and conservatism" should not deter us from following a different course.

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[6] Sixth Annual report, January 1919.

HOW A TAMMANY DISTRICT ATTORNEY USED HIS OFFICE FOR HIS OWN ENDS

BY CHASE MELLEN

Counsel for the City Club of New York in the Swann Case

The last trumped-up case against City Club witnesses has now been dismissed and they are safely beyond the reach of the district attorney's vengeance, completing the case and making it possible now for the first time to tell the whole story. :: :: :: :: :: :: ::

For several years prior to 1916 strikes and disputes in the needle trades, accompanied by many acts of violence, occupied the attention of the district attorney and the police of New York. Nearly all of the employes were Russian or Polish Jews, many having but slight acquaintance with the English language. Most of them had large families and depended entirely on their earnings for the necessities of life. They belonged generally to a union which had declared a strike, or to a rival union, formed in the course of the strikes, composed of members and non-members of the old who wished to go on working. Great bitterness of feeling developed between the two unions and it was claimed that gangsters and thugs were used by the older to force members of the younger to stop work. On July 31, 1910, Hyman Liebowitz was murdered and in March, 1914, an assault was made upon several other employes, among them David Manusevitz. Immediately thereafter certain leaders of the old union and gangsters said to have been hired by them, were indicted by the grand jury, charged with the murder of Liebowitz and the assault on Manusevitz. Charles S. Whitman was then district attorney of New York county and he instructed one of his assistants, Lucian S. Breckinridge, to make an investigation and to prosecute the guilty. In the summer of 1914, the police department organized an industrial squad, so called, composed of detectives, which co-operated with Mr. Breckinridge in making a thorough investigation into the disorders. This led to the finding by the grand jury, in the spring of 1915, of twelve indictments against leaders of the old union and thugs alleged to have been hired by them for various acts of violence, superseding indictments in the Liebowitz and Manusevitz cases being included.

Mr. Whitman having been elected governor, Mr. Charles A. Perkins had been appointed district attorney in his place, and all the cases were prepared for trial. The Liebowitz case was brought to trial in September, 1915, resulting in the acquittal of the defendants. The trial of the remaining indictments was blocked by other cases ahead on the calendar and was, therefore, adjourned until January, 1916. Mr. James A. Delehanty, one of Mr. Perkins' assistants, had appeared for the People in the Liebowitz case.

About the time of this trial, Edward Swann, a judge of the court of general sessions, became the Tammany Hall candidate for election as district attorney to fill the vacancy caused by

Mr. Whitman's election as governor, and Mr. Perkins became the Fusionist candidate against him. Judge Swann was elected and assumed office on January 1, 1916. Mr. Delehanty was appointed a judge of the court of general sessions to fill the vacancy caused by Judge Swann's election. Mr. Swann appointed Mr. Breckinridge on January 10 as special counsel to take charge of the prosecution of the indictments. Almost contemporaneously, he received a letter from Morris Hillquit, the well known Socialist, and Abraham Levy, of counsel for some of the indicted men, dated January 11, 1916, asking for an interview owing to the fact that the trials had been tentatively fixed for January 17, in which they wrote to Mr. Swann:

> We are satisfied that the basis of the prosecution is corrupt and tainted and that the gentlemen of the former administration, under whom the indictments were found, have been misled by means of false representations and perjury. We believe that, with the evidence in our possession, we can satisfy you that the indictments should never have been found and that the prosecution of the indictments cannot be justified in reason and justice.

We have quoted from this letter because of its peculiar bearing upon subsequent events, as we believe will become clear without further comment. It was something more than a straw which showed which way the wind was blowing in and around the district attorney's office.

Mr. Breckinridge knew nothing of this letter. He continued preparing the cases for trial until March 23, 1916, when he resigned. In his letter addressed to Mr. Swann, he stated that he had been advised shortly prior to his resignation that Mr. Swann had decided to accept pleas to misdemeanors from several of the indicted persons and had agreed to recommend that sentence be suspended. Mr. Breckinridge averred that he protested against such a disposition as "a travesty on justice and an outrage to decency," adding that the evidence against two of the men (for whom Mr. Hillquit and Mr. Levy were counsel, by the way) was clear, they being important officials, and that

> the men whom you now propose to discharge under circumstances which will undoubtedly be represented by them as a complete vindication, are shown by all the evidence in my possession, and which has always been at your disposal, to be the most active instigators and perpetrators of these outrages.

After Mr. Breckinridge resigned, John T. Dooling, assistant district attorney, was put in charge of the cases by Mr. Swann. Motions to discharge bail had been prepared under his supervision in March, 1916, evidently about the time of Breckinridge's resignation. In May members of the "Dopey Benny" Fein gang were indicted charged with a murder committed two and a half years before, but Dopey Benny himself was not actually indicted and arrested until November, 1916, owing to the fact that he could not be found until then. He had been one of the principal witnesses called by Breckinridge before the grand jury in 1915. Early in June, 1916, a few days after the gang had been indicted, Mr. Swann, through his assistants, brought the motions to discharge bail on before Judge Crain in the court of general sessions, presenting a certificate to the court in support thereof which contained the following statements:

> In view of the involved circumstances in this case and the character and type of the witnesses for the People, the vague and indefinite nature of the complaint in this case and the lack of corroboration, and upon the facts determinable by me, after a most rigid and thorough investigation, I am of the opinion that a conviction could not be had.

Judge Crain granted the motions and bail was discharged. In the following September the lawyers for the indicted leaders and gangsters moved to dismiss the indictments, and the motions were adjourned from time to time until November when they came before Judge Delehanty. Because of his familiarity with the labor troubles and the indictments growing out of them, and smelling a mouse, with the assistance of the industrial squad he made an investigation to determine what basis there was for the statements in the district attorney's certificate, particularly with regard to "a most rigid and thorough investigation." Accordingly, on December 30, 1916, he filed the famous memorandum with the clerk of his court as part of the papers on the motions before him in which he charged that the recommendation to discharge bail was filed without any real investigation of the cases and without seeing the witnesses, and that the whole conduct of District Attorney Swann in these cases should be inquired into, to determine whether a deliberate fraud had not been practised on the court. He took no further action on the motions.

Immediately after the contents of this memorandum had been published a furious newspaper battle broke out between the district attorney, Judge Delehanty and Mr. Breckinridge in which charges of various kinds were tossed back and forth reflecting discredit upon the administration of justice. In an interview published January 1, 1917, Judge Swann bitterly attacked Mr. Breckinridge and Judge Delehanty, recklessly charging them with all kinds of improper conduct, and in an interview published a few days later made especially scandalous charges against Mr. Breckinridge and his family.

It appearing that there was no other means of investigating the matters contained in Judge Delehanty's memorandum, and of quieting the public scandal created by the newspaper interviews, the trustees of the City club filed charges against District Attorney Swann with the governor on January 14, 1917, based upon the statements in the memorandum and asking for Judge Swann's removal if they should be sustained. Briefly the club charged that the district attorney had presented a false and misleading certificate to the court on the motions to discharge bail in June, 1916, in that no thorough and rigid examination had been made as stated. On January 26 the district attorney filed his answer to the charges and on the same day the grand jury indicted Mr. Breckinridge on a charge of bribery and corruption in connection with the labor indictments. Soon after January 1, Mr. Swann had begun an inquiry before Chief Magistrate William McAdoo directed against Mr. Breckinridge and this indictment was the culmination of the fight against him.

Immediately following the filing of the City club's charges and before filing his answer thereto, Mr. Swann summoned to his office several persons mentioned in Judge Delehanty's memorandum who had appeared before the grand jury in 1914 and 1915 as witnesses called by Mr. Breckinridge and upon whose testimony the labor indictments had been obtained. These men were sharply questioned by the district attorney, or his assistants, in his office, generally on the Jewish Sabbath, all being Jews. They declared that they had testified truthfully before the grand jury and declined to change their testimony or to admit that it was false. The witnesses having proved obdurate, the district attorney, or some of his assistants, conceived the brilliant idea of having the grand jury of February, 1917, turn the tables on the grand jury of April and May, 1915, by indicting these witnesses for perjury upon the testimony of the men who had been indicted by the earlier grand jury upon their testimony. In this way Mr. Swann no doubt hoped to square himself with the labor leaders and at the same time make it impossible for the City club to use Manusevitz and the others as witnesses against him in the prosecution of the charges pending before the governor. The City club's attention having been called to the way the district attorney was treating the persons whom it of course expected to call as witnesses in support of its first charges, it filed with the governor on April 4, 1917, a second set of charges in which briefly it stated that following the filing of Judge Delehanty's memorandum and the first set of charges, the district attorney had sought to intimidate the witnesses, subsequently indicted for perjury, and also Mr. Breckinridge, in order to prevent their appearance as witnesses against him, and to prevent or impede a proper inquiry into the matter before the governor. This second set also included charges against the district attorney in connection with certain other matters as to which sufficient proof was not obtainable and so they need not be referred to further.

On February 3, after the district attorney's answer to the City club's original charges had been filed, the governor appointed Hon. George L. Ingraham, former presiding justice of the appellate division of the supreme court, his commissioner, to take the testimony and report with findings and recommendations. He also appointed him commissioner with respect to the second set of charges. The hearings upon both began early in April and continued until June. We shall let extracts from Judge Ingraham's report, filed with the governor in August, 1917, tell the story.

The City club called all of the men who had been indicted for perjury in February, 1917, who, with two exceptions, swore that they had told the truth before the grand jury in 1914 and 1915.

Mr. Swann and four assistants, Messrs. Dooling, Tompkins, Markewich and Eder, who had been active in his behalf in the events which followed the filing of Judge Delehanty's memorandum and the City club's original charges, testified in Mr. Swann's behalf and all swore that they had used no threats or intimidation against the unfortunate witnesses.

Before quoting from Judge Ingraham's report, an incident of peculiar interest in these days of Americanization may be referred to. One of the witnesses called by the City club was the son of an indicted witness who had remained in the Tombs for several weeks until bailed out, having refused to plead guilty to perjury or to admit in any manner that his testimony in 1915 had been false. This young man, whose foreign-born father had struggled in order that the son might receive a good education, had graduated from Columbia University and was a student in the College of Physicians and Surgeons, fitting himself for the practice of medicine. He testified to the efforts made by the district attorney or his assistants to make him persuade his father to plead guilty to perjury or to admit having given false testimony before the grand jury.

We will now let Judge Ingraham tell the rest of the story. He dismissed the City club's first set of charges, based upon Judge Delehanty's memorandum, and sustained the allegations contained in the second set of charges with respect to intimidation and oppression of witnesses.

In his report to the governor he said:

> The defendants indicted for murder (in the Liebowitz case) had been acquitted, but when the respondent, as district attorney, took charge of the office, the other indictments were undisposed of. The respondent then employed Mr. Breckinridge, who had been an assistant in the district attorney's office, to prosecute these charges; but apparently without his advice or concurrence the district attorney had moved to discharge the bail of those indicted, upon a certificate that he could not hope to convict any of them, thus leaving the serious infractions of the criminal law unpunished, and without making any effort, so far as appears, to discover who were guilty, if those indicted were not. The district attorney and his assistants, immediately after assuming office, seem to have come to the conclusion that they would not prosecute anybody who had been indicted for these crimes. There is no doubt that the crimes had been committed, that the various persons had been assaulted, and that the criminal law had been violated. But the only persons charged with the offences were to be released, because the evidence would not justify their trial. The various witnesses who testified before the grand jury had sworn positively as to the identification of those indicted as having been guilty of the crime. The crimes alleged to have been committed were serious ones, and certainly it was not the duty of the prosecuting officer simply to dismiss indictments that were obtained by the evidence of those assaulted, without an actual trial of those indicted or making some effort to discover who had been guilty of the crime specified. There was, however, to be no trial, no punishment for the crime, no attempt to ascertain who were guilty.

And again:

> The whole prosecution for these crimes would seem to have been abandoned until Judge Delehanty transmitted a copy of his memorandum to Your Excellency, which reflected upon the prosecution of these offences and the administration of the law in relation to these labor union disturbances. Immediately after that memorandum was sent to Your Excellency and had been published, there was great activity by the whole district attorney's staff, not apparently to prosecute those guilty of the crimes back in 1914, but to discover some method of punishing those who had testified as to the ones who had committed the crimes, or the witnesses upon whose testimony those indictments had been obtained.

And again:

> Breckinridge having been disposed of as a witness by the indictment against him, the only other witnesses who could possibly testify to sustain the charges made by Judge Delehanty against the district attorney were the witnesses upon whose testimony the indictments for murder and assault and robbery and other crimes had been obtained. These witnesses included the persons who had been assaulted and were the victims of the crimes to punish which the indictments had been obtained. The assistant district attorneys had come to the conclusion that these witnesses had all been guilty of perjury before the grand jury. Just what that was based on does not appear, but it is quite evident that if the witnesses could be indicted or convicted for perjury, or induced to confess that their testimony before the grand jury had been false, their credibility as witnesses in any investigation of the charges against the district attorney would be destroyed, and the certificate of the district attorney would be justified. They were then served with a notice to appear at the office of the district attorney, and were told when they came there that they were expected to tell the truth, that is, that their former testimony was perjury. The witnesses, however, who attended on that notice refused to admit that their testimony was false, and insisted that it was true. The next step was to get these witnesses who testified before the grand jury indicted for perjury, and that these assistants, apparently under the instructions of the district attorney, proceeded to do. They took before the grand jury the defendants who were under indictment for the various crimes, and on their testimony induced the grand jury to indict for perjury the witnesses upon whose testimony the indictments for the assaults had been found, and who had been taken before the grand jury by the respondent's predecessor in office. These newly indicted men were then promptly arrested and committed to the city prison in default of large bail, which, of course, it was apparent they would be unable to obtain. They were all workingmen, with large families dependent upon their labor for support, ignorant of legal proceedings and the rights of those who were charged with crime. Their wives and rel-

> atives came to the district attorney's office, the indicted men were then brought to the district attorney's office from the city prison, attorneys were then assigned to them, or appeared for them; they were interrogated and talked to for hours at a time, and there seem to have been statements made that the district attorney would not oppose a plea of leniency if they told "the truth," as it was understood by the district attorney's assistants. Finally, several of them were induced to confess such "truth," when stenographers were called in and statements were taken down that were in the form of confessions of a very serious crime.
>
> A day or two after these confessions had been thus obtained, these persons who had thus made a statement not under oath to a stenographer in the district attorney's office, contradicting the testimony which they had given upon which the indictments had been obtained, pleaded guilty to the indictments for perjury, based upon the testimony which they had given before the grand jury and upon which the indictments were obtained.
>
> But this evidently was not enough, for then each of these defendants was called as a witness in open court and sworn, and was asked by the district attorney leading questions as to their guilt of the crime to which they had just pleaded guilty. They seem to have had counsel present, who were either then assigned by the court, or who had attended as representing them at the district attorney's office. And thus, having obtained a statement in the district attorney's office that they had been guilty of perjury, and having obtained a plea of guilty on the indictments charging perjury, and having obtained sworn statements in open court that they were guilty of perjury, the assistant district attorneys consented that these men, who were thus, on the record, guilty of one of the most serious crimes that can be committed—a crime which if generally committed would strike at the very foundation of justice and render all judicial investigation valueless—should be discharged without punishment, in the custody of their counsel, counsel that had been either procured to attend the district attorney's office at the investigation there, or who had been assigned by the court to look after their interests when they were arraigned on the indictment and pleaded guilty. But those who had refused to change their testimony remained in prison.
>
> Thus, every witness who could possibly testify to sustain the charges against the district attorney had been indicted and was either awaiting trial or had confessed to perjury.

And again:

> As I read this testimony, the whole power of the public prosecutor was used, not for the enforcement of the criminal law, or the punishment of crime, but to extort from these witnesses, upon whose testimony these indictments had been obtained, a retraction of their testimony. And, of course, it is perfectly apparent that if they did retract their testimony upon which the indictments had been obtained, and upon which the conviction of those indicted must be obtained, that the district attorney and his assistants would have been justified in asking for the discharge of those indicted for assault or riot from their bail, and in the conclusion that the district attorney and his assistants had arrived at, that those indicted were not guilty of the crime with which they were charged.

And again:

> Every one of these witnesses who was willing to meet the views of the district attorney and his assistants was then discharged, but everyone who insisted that his testimony was true was detained in prison, subject to a conviction and a long term of imprisonment. From this evidence as it stands, the conclusion is irresistible that if Judge Delehanty had not filed the memorandum that he did, and if formal charges had not been presented against the district attorney, there would have been no further investigation and no indictments for perjury.

Notwithstanding these findings, so condemnatory of Mr. Swann's conduct, the commissioner merely recommended that the governor would be justified in the exercise of his discretion, "in refraining from removing" the district attorney. Surely, a most illogical conclusion to a report finding an accused official guilty of abusing the powers of his office, of neglect and of oppression.

On September 15, 1917, counsel for both sides appeared before Governor Whitman in the executive chamber and counsel for the City club asked the governor to disregard Commissioner Ingraham's poor logic and to remove Mr. Swann, in keeping with the findings. Upon the same day, however, the governor filed a memorandum dismissing both sets of charges.

Now for the sequel. Barnet Engel was a witness of the assault upon Manusevitz in March, 1914, and as such had testified before the grand jury of that month and in 1915. He had been indicted for perjury at the instance of the district attorney in February, 1917, and had pleaded guilty, having succumbed to the district attorney's oppressive methods and to the pleadings of his wife who had been used by the district attorney as a lever to pry him from his stubborn refusal to confess perjury.

He had testified under oath before Judge McIntyre in February, at the time he plead guilty, to the effect that he had given false testimony before the grand jury about the Manusevitz assault. But when called as a witness before Commissioner Ingraham in April he swore positively that the testimony he had given in 1914 and 1915 was the truth and that he had been threatened and intimidated by the district attorney into pleading guilty to the perjury indictment. He told the same story about the Manusevitz assault that he had given to the grand jury.

In May he went again before Judge McIntyre. The counsel who had been assigned to defend him at the time of his arraignment in February retired from the case and Judge McIntyre assigned in his place John Kirkland Clark and Chase Mellen, counsel for the City club in the prosecution of these charges against Mr. Swann. Engel changed his plea from guilty to not guilty and was forced by the court to go upon the witness stand and be examined by the assistant district attorney with great bitterness, as well as by Judge McIntyre. No pressure could make him admit in the slightest degree that he had testified falsely before the grand jury. He no longer feared the district attorney. He was admitted to bail which was promptly furnished. In March, 1918, he was brought to trial on the perjury indictment in the court of general sessions before Judge Malone and a jury. Mr. Alfred J. Talley, Mr. Swann's principal assistant, and Mr. Markewich, another assistant, who had been active in securing the indictments for perjury, appeared for the People. The trial lasted two or three days. Engel's principal witness was Manusevitz, and the star witness for the prosecution was Markewich, whose salary, it was said, had been raised by Mr. Swann since the dismissal of the City club's charges. In his summing up to the jury Mr. Talley squarely raised the issue of veracity between Engel and Markewich. The jury was out about an hour and brought in a verdict of not guilty. A few days later the district attorney moved the dismissal of the indictment for perjury against Manusevitz and, after several months' hesitation, moved the dismissal of all the remaining indictments for perjury of which he still had charge. The indictment against Mr. Breckinridge was later dismissed.

Thus ended the campaign of frightfulness inaugurated by Mr. Swann, one of Tammany Hall's "respectables," to save himself from charges affecting his administration of the office of district attorney. The dismissal of the indictments and the acquittal of Engel corroborated the commissioner's findings and placed the stamp of guilt upon this Tammany Hall official. A man of right feeling, conscious of his own rectitude, if so unfortunate as to have charges made against him, would surely have welcomed a full investigation of the City club's charges and have done nothing to obstruct the inquiry. Clothed with great powers and aware of the obligation attaching to a great public office, he surely would not have stooped to use them for his personal advantage. Of course Swann should have been removed from office even though only three months of his term remained. But more paradoxical, than the result of the City club's charges, is the fact that the voters of New York county, amid the confusion of a great mayoralty election, re-elected this discredited official to the office of district attorney in November, 1917, for the full term of four years, by a large majority. Great is Tammany Hall when combined with Hearst, and great is the ability of the average voter to forget his experience in a tiger-infested jungle!

A LANDLORD'S ENCOUNTER WITH THE UNDERWORLD

BY JAMES BRONSON REYNOLDS

The author, a leading social worker, was in 1898 on Governor Roosevelt's Tenement-House Commission which drafted laws defining and extending the responsibilities of landlords in relation to prostitution in tenement houses. He was a member of the staff of the District Attorney of New York County and special counsel to the so-called "White Slave Grand Jury," which returned 26 indictments followed by convictions of offenders against the laws penalizing commercialized vice. He has since been an active leader in the fight against the social evil. :: :: :: :: :: :: :: :: :: ::

It is the purpose of this article to give the actual experience of a tenement house landlord in conflict with the underworld of vice. The house whose record for a period presented certain typical features of the conflict is a five-story building with three apartments on each floor. It might be designated a "near" apartment house. The entrance door has a snap lock attachment; tenants have latchkeys; names of tenants are recorded on cards inserted above family letter boxes in a metal framework in the vestibule; push buttons enable callers to communicate directly with each apartment. These contrivances are adequate for their purposes but those who work them are human. Any one entering or leaving the house may fail to close the front door, or when the push button rings a bell the tenant, without challenging the caller, may press a button in his apartment which unlocks the entrance door, thereby giving entrance to the house. "Wise ones," for instance, to gain general access to a house, sometimes for evil purposes, ring a top floor bell and the call is forgotten by the tenant or thought a mistake. Occupants of houses of the next higher grade having bell boys, generally poorly paid, confess that the boys easily "fall for a tip" and close their eyes and minds to dubious visitors.

The house at the time of purchase was located in a reputable district.

For six years after the purchase the tenants had been mostly small shopkeepers in fairly comfortable circumstances, well behaved, law abiding, of such stuff as good citizens are made. Then came a commercial upheaval nearby which swept away an extensive residential section and forced its occupants, many of tenderloin proclivities, to seek abiding places elsewhere. The latter made a drive at our street, and an entirely respectable locality was metamorphosed into a vice district.

Early in the struggle an episode occurred creditable to our agent, less creditable to the police. The agent became suspicious of the character of a tenant who, having paid her month's rental in advance, could not be legally ejected until the end of the month. Not wishing to allow even the thirty days of grace, or of disgrace, the agent reported his suspicions to the local police captain and sought his co-operation in compelling good conduct during the month. Instead of giving the agent the preventive aid requested, the police allowed the tenant to ply her trade, then arrested her and secured her conviction. Thereupon the captain gave an illustration of the occasional absurdities of bureaucratic procedure and of the perils sometimes risked in seeking police aid. His written reply to the agent curtly stated: "You are hereby notified of your liability as agents and advised to dispossess said disorderly tenant forthwith." Perhaps the captain had forgotten that the information and complaint had come from the agent, but to the plain citizen it would seem not unfair that the police should distinguish between those who seek their aid and those who dodge it. The captain's letter amounted to notice: "Appeal to us at your peril." Here endeth the first lesson.

The police often complain of lack of civic co-operation and of the unwillingness of citizens to sustain their complaints against disorderly individuals. There is justification for their complaint. But this incident reveals the other side of the story.

THE INVASION

With the malign change in the neighborhood the effort of "undesirable citizens" to secure admittance as tenants was a persistent phase of the struggle that followed. This was due largely to the rush of the tenderloin and its determination to segregate.

The devices for obtaining residence in the house were varied and ingenious. One couple masquerading as father and mother, with their little child, applied to the agent for an apartment and showed excellent references. The first instalment of rental was paid and the happy family took possession. Within a few days the little child, borrowed for the occasion, was sent away. Suspicions were aroused as to the fond parents, and the validity of of their marriage was found to be not beyond a reasonable doubt. They were asked to vacate the premises and, unsustained by conscious rectitude, they vanished.

Women applying to the agents for apartments assumed a more modest demeanor and donned quieter garb than when following their wretched trade, and frequently all traces of cosmetics were washed from their faces and the sedate expression of the weary worker cultivated. Questionable applicants sought to secure acceptance of the legal deposit, that is, the first month's rental, sending money to the agent's office by messenger boys or by friends of respectable appearance, alleging that they themselves were at work. Forged letters of endorsement on stolen letter paper were exhibited, credentials were offered from reputable but hoodwinked or too guileless sponsors.

A widowed mother, with two plainly dressed daughters, applied. Later the "widow" was found to be the keeper of a disreputable "boarding house," the "daughters" the "boarders." An "honest mechanic" and wife sought admission. After the rental deposit had been accepted the "honest mechanic" was seen no more. A Philadelphia merchant engaged an apartment for his frequent business visits to New York. It was ascertained that he had established a woman in the apartment; he was told to vacate. One tenant, later convicted as a professional prostitute, produced highly commendatory letters, one from a tenement house owner who stated that the bearer had occupied several of his apartments and was a first class tenant, whom he would gladly take back at any time. The agent visited the owner, a middle-aged business man in comfortable circumstances. He unequivocally confirmed the endorsements of his letter. Was he a liar or a dupe?

During the demoralization of the neighborhood, despite constant watchfulness disreputable characters gained temporary access as tenants. Within three years, twenty-three tenants (solely on suspicion as to moral character) were legally dispossessed or ordered out of the house. A much larger number was turned away because unable to face the investigation.

The suspicions of an experienced agent are rarely unfounded. For example, several days in succession our agent and his collector sought to reach a tenant in her apartment but her door was always locked, and much hammering thereon and bell ringing elicited no response. Finally, late one evening, the agent went with his wife to the apartment. The tenant promptly admitted him. He saw nothing amiss, but charged her with immorality. She vehemently denied all guilt. Under his insistence she broke down and with sobs confessed that she had not been "quite straight." Her pleading of hard luck was without avail. She had to go.

STRENGTHENING THE DEFENSES

To meet the tricks of the invaders the line of defense was reconstructed and the outposts of the house management came first under scrutiny. The resident janitor, because on the ground, can hardly escape knowledge of the nature and conduct of the tenantry. The janitress in charge at the outbreak of trouble was incompetent and was retired for a Jamaican who had proved honest and efficient in other houses managed by the agent but when the agent found that he was not proof against the special temptations of the neighborhood and had taken money to close his eyes, he was summarily discharged, to be succeeded by a well recommended widow with four children. She was engaged on the theory that a mother may be trusted to protect the moral associations of her family. "Not failure but low aim" was her crime. She was too easy with everybody, including herself, and was dismissed to make way for a sober, industrious, well-paid mechanic in regular employment, with a wife and three children. The husband and wife were known to have had a good record in other houses but when, soon after their installation, the woman revealed a dubious tolerance in an indubitable situation, they were dismissed. In brief, during the period of struggle the janitor service was changed six times, except in one case solely because the encumbents seemed unable to resist the temptation of easy money for easy blindness. Their defense was that they took no money to do wrong, but they were paid to do right and failed.

The sixth resisted temptation, showed shrewd discernment in sizing up her tenants, steady watchfulness of their conduct, and loyalty to the expressed requirements of the owners. Kindly and good tempered to reputable tenants, her keen eyes penetrated shams and disguises. Her reports were checked up in many ways and found reliable. Abandoning the usual custom of assigning the basement apartment to the janitor, we placed our "good janitress" in a ground floor apartment on one side of the front entrance, one window of the apartment overlooking the stoop. We selected this strategic location as best for observation and supervision.

Next to the janitor in closeness of relation to tenants is the agent's collector, who visits apartments frequently to obtain the rentals, often paid in driblets. The collector calls at all hours of the day, sometimes at night, converses with the tenant, gets frequent glimpses of the apartments, and if he has eyes, and does not let himself be paid to close them, learns much. If anything is out of the way he will see signs that should awaken the suspicions of the "prudent man." Such suspicions he should report at once to his principal, the agent, who, catching the scent may then follow the trail. Of course attempts are made by the underworld to deceive collectors and janitors as well as agents, but while the agent can be tricked by deliberate planning, to fool the others means "to dwell in the midst of alarms," for which courtesans as a rule have neither the brains nor the persistence, the latter quality being one in which they are especially deficient.

"Your house is all right, Madam," said number four janitress excitedly to my wife one day after a visit from detectives, "your house is kept just as you want it kept. There couldn't be a better women than I to keep it as you want it. I've never taken any money. I never got but $3.50 at Christmas from the whole house. That's the kind of a place I'm in." She spoke in a hurried, frightened manner. My wife thought the lady did protest too much, and her suspicions became more acute. She said:

"I would like to see your apartment." The janitress took her to her rooms in the basement. She went through them, finding them clean and in good order. Three little children who had been playing in the hall and areaway came running in.

"Lady, give us some dimes, give us some dimes!" they cried. The janitress became flustered again, saying:

"Don't pester the lady for dimes, Johnny, keep away. Mother will give you some pennies; don't ask for dimes."

"I don't want pennies," said the little boy, "I want dimes, and the lady's got to give me dimes or nickels!" But the lady gave him neither. Whereupon Johnny looked almost savage.

One of the most suspicious incidents of my wife's experience was such requests for dimes from the janitor's children. When tenants of small means give the janitor's children dimes instead of pennies, "there's a reason."

We had supposed that a family with three children was motive enough for decent living, but we believed that the woman could not resist the lure of "big money" for herself and little money for the children.

In this connection I recall that the "good janitress" told us that when she first took charge five and ten dollar bills were often thrust into her hand. She refused them saying that Mr. ——

—, the agent, had forbidden her to take money from any tenant, a drastic order called out by the exigencies of the situation.

THE POLICE

The police should be helpful auxiliaries to every law abiding owner of tenement house property. To some police officers we were indebted for both aid and counsel. Old-time police graft has largely ceased, but there are still police captains who are far from straightforward co-operation with citizens, and some of the force may still be suspected of closing their eyes if someone else has closed their palms.

Co-operative relations should exist between citizens and the police before wrong doing occurs. The police receive much information not possessed by owners of property which would often be of great aid to them. We know a western city where the policy of reporting to landlords complaints or suspicions regarding tenants has borne excellent fruit both for owners and for public order. This combination in good faith of the police and the landlord is hard for the underworld to circumvent. If it obtained in all cities, the repressive power of the government against evil-doers would be vastly more effective than at present. We are glad to record two instances where information given by a police captain to our agent enabled the latter to frustrate underworld designs. An ounce of such prevention is worth more to public morality than a pound of tolerated evil followed by deferred arrests.

But one visit of the police may be instanced which was at least not co-operation. My wife on an inspection of the house found two detectives in low toned conversation with the janitress. When questioned the detectives stated that complaints of conducting gambling games had been made against tenants in two apartments. My wife at once offered to accompany them in their investigation. The offer was accepted without enthusiasm. The procedure of the detectives was the same in each apartment. When women responded to both calls, the chief detective bowed politely and, in a gentle, ingratiating tone, said: "Lady, I am sorry to disturb you, but a complaint has been made and I must ask you if a gambling game has been going on in your apartment." Naturally both women said "No." Whereupon with no further inquiries or inspection the detectives again apologized and withdrew.

We queried whether the detectives spoke softly so that there might be no confessions in the presence of the owner, such matters being adjusted "under four eyes."

FINAL VICTORY

In the process of casting our dragnet for every description of "suspect," the agent reported that two women tenants had awakened the distrust of the janitress, who said that, though "livin' decent on the premises," she believed they were "doin' business in the neighborhood."

Our close study of conditions in the house led us to the conclusion that these women and their reputed husbands, "livin' decent on the premises," had been magnets for the underworld and they were told to leave.

After the departure of these women there was but one other undesirable arrival, a man and his wife who presented good credentials and made a month's deposit. Within two days of their arrival the janitress reported them to the agent as "suspect." With police aid it was found that they had a record. They remained for one unhappy month, so watched by agent, janitress and police that illicit business was made impossible. When a moving van took their furniture, which the agent had put on the street, a policeman followed their circuitous windings in a taxi, noted the number of their new abode and reported it to the captain of the precinct station. Within a short time after this dramatic exodus the wife died. The bereaved husband threatened a damage suit because of the shock to his wife's health caused by our persecution, but "his deeds being evil," he was not anxious to bring them into the light, and he did not fulfill his threat.

In spite of our expulsion of all tenants whose conduct had placed them under suspicion, we hold that tenants have a certain moral right of domicile that a landlord is bound to respect. To eject all tenants because some are bad involves a policy of harshness, which should merit condemnation even when applied for purposes of house cleaning. Discrimination may make a task more difficult but it is the method of justice.

The writer knew of one embarrassed citizen who, finding immoral characters in his tenement ruthlessly evicted the entire tenantry, good and bad. Another landlord, believing that one race was responsible for immoral conditions in his house, banished all of that race, guilty and guiltless alike. To these instances may be added the statement of an Italian janitress who, when asked if she was sure that everybody in the house under her care was entirely respectable, fervidly exclaimed with a bright, confident smile and comprehensive gesture that embraced the building from roof to sidewalk:

"Yes, yes, all gooda peepul, all gooda peepul. All Italia, all Italia." Such naive and glowing patriotism is unanswerable and no more lacking in discrimination than the extreme measures of the aforesaid owners.

Since the forced exodus of the "bereaved husband," more than three years ago, neither agents, janitors, collectors nor police have discovered a single questionable tenant or inmate. We congratulate ourselves that the cure of the social malady in our house was completed while tenderloin infection was still virulent in the neighborhood. There were raids to the right of us, raids to the left of us, long after the last case of reasonable doubt had been removed. Subsequently the plague of the underworld locusts passed on, driven out by another commercial upheaval under which a long row of morally infected small dwellings in the block was torn down.

"REGARDLESS OF EXPENSE"

In the course of our conflict a further administrative change became desirable. Our agent had acted in good faith to rid the house of unworthy tenants, changed janitors frequently, dispossessed many tenants on suspicion gave new janitors proper orders, finally secured the "good janitress" and had a clean record in his successful management of other properties for over twenty years. But we decided that our situation needed closer personal attention than could be given by a large concern working through its corps of collectors. We therefore secured a young but experienced agent who was his own collector, pledged himself to make daily visits to the house and to report directly to us. We enjoined him, as we had the former agent, to use the utmost care and vigilance to keep the house free from all questionable inmates.

The agent was further instructed that no financial loss involved must be considered. In fact during the period of sporadic moral infection there was not only no income from the house, but an actual deficit each year. Net returns of $1200 to $1500 were blotted out and for the year of our sharpest struggle the deficit was $1,105.60. Thus the owners heavily "paid the piper" to carry through their fight with the underworld. It should be added that there were no unusual expenditures during the periods of deficits, nor did the demand for apartments decrease. Again and again the agents reported many applicants ready to pay our price and more to fill all vacancies, but they were not above suspicion. In consequence the house for a period was more than half empty, but after the passing from our street of the underworld push, it was again filled to capacity with respectable citizens. Our "good janitress" did her part in carrying out our policy of exclusion, even exercising the veto power freely on her own initiative. She once remarked half penitently: "No doubt many's the decent woman looking for an apartment I've insulted and turned away just because she was dressed more stylish than I thought she ought to be!"

To make assurance doubly sure we had special agents watch the house every night for a period. They gave us not only reassuring testimony regarding our efforts to make and keep the house clean but also furnished valuable information as to the moral obliquity of the neighborhood. To those who may be called upon to tread our thorny path we recommend such employment of detectives as both informing and protective.

SOME CONCLUSIONS

The good faith of owners of tenement house property, under conditions similar to those of our house, may be easily determined. Prostitutes, if known to be such, are regularly charged and pay higher rentals than others. If the owner draws an unusual rental he presumptively has knowledge of the character of his tenants. Both our agents told us that they had learned to be at once suspicious of any offer of excess rental, whatever the pretext.

During the period of moral infection three tenants were convicted out of six arrested, one of the latter, as previously stated, on the agent's complaint. Four convictions were of outsiders who were neither tenants, boarders nor roomers; two of these probably secured entrance to the hallway through some trick or device, two were friends of a tenant. Of the inmates of the house convicted, five were merely boarders or roomers for whose admission the agent was not responsible. Three tenants and one boarder arrested were discharged after a hearing by the magistrate.

The full record shows that the activities of the agents resulted in the eviction of twenty-three tenants, those of the police in the arrest of six tenants. Three of the latter were discharged by the court but nevertheless were subsequently evicted by the agent, thus actually making a total of 26 evictions of tenants by the agents, three through the police.

When the frailty of the boarder class became evident we consulted real estate agents other than our own as to the feasibility of a blanket order forbidding tenants to take boarders and roomers. We were told that the custom of taking boarders was so universal and so necessary to tenants of small families and small means that such a measure would be not only harsh to honest tenants but unworkable, and that after all every man's flat was his castle. We met the situation by having the occupations and business of every member of every family, including both boarders and tenants, ascertained and recorded by the agent.

From this recital of a landlord's actual experience face to face with an evil environment and the determined onsets of the wily underworld, questions are raised for property owners who are ready to meet new legal and moral responsibilities and for all believers in social progress. It is beyond debate that no one can fulfill these responsibilities and knowingly let his property to social outcasts for the very purpose which makes them outcasts. In the light of recent scientific inquiry intelligent men and women have come to see that the pleas of the "necessary evil" and of the tolerated district as defenses for the irresponsible landlord have crumbled.

The new obligations imposed upon property owners demand that they adopt, to quote one of our leading bankers, "that broader view of genuine citizenship, one that is willing to serve the state actually as well as theoretically." Hence they should unswervingly and without protest share with the police the burden of protecting public morals.

The twentieth century is profoundly concerned with social democracy and that concern is being felt by an ever increasing proportion of our citizens. As a people we boast our individual enterprise and progress. But concern by all for all is essential if the common weal is to be advanced. Nor may we always fastidiously elect our duties or our share in the struggle. If the slum, the red light district, and the squalid and disease begetting centers of large cities are to be abolished, and the new democracy has decreed their extermination, citizens of all classes, in private as well as public relations, must lend a hand to the end that we may have cities where not only "external order and decency" obtain, but internal order and decency as well, and where the homes of the poor are as fully protected through private as well as public effort against disease, vice and degradation as are the homes of the rich.

A NEW PUBLIC SERVANT—THE MUNICIPAL PSYCHOPATHOLOGIST—AND HIS TASK OF SOUL-SAVING

BY MARC N. GOODNOW

The juvenile courts have uncovered the problem of the defective child. The next step is to make the schools and local governments recognize the defective children and get to them before they become court cases.

DETECTING defective boys and girls and training them to become useful, self-supporting men and women is a comparatively new idea in municipal government. In most communities, if any provision is made at all, the work is left to the school system. In others, however, there is a growing sense of responsibility toward this class of juveniles, as well as an increasing desire to detect them and prevent their becoming public offenders and charges.

Just why the defective child has been so long neglected would be hard to define, unless the plain statement that the public in general, much less the municipality, has been unaware of the importance of the problem, will suffice. Probably the explanation that the city has looked to the state for a proper handling and solution would be more nearly correct. But although the state has done a large and important work it has up to now dealt more with effects than with causes—it has taken the child after he has been found to be defective, rather than dealt with local situations in an effort to prevent the child's becoming a public charge.

The city, it is easy to see, has been much nearer the problem; more intimate and familiar, in fact, with the conditions from which defectiveness among children springs. The juvenile court has brought the city into more responsible touch with child life and has thereby been able to mould to a large extent the public's attitude toward the problem.

The progress in juvenile research today has been a city movement—one that sprang from the tremendous need for a wider, deeper knowledge of child life and its growth or retardation under the influences of great centers of population. Thus a greater service has been rendered the child in the city than the child in the country or the small town. There are regenerative or detective agencies at work in the cities nowadays that have not as yet been duplicated in the smaller communities or the country outposts. From such agencies as these, conducted for the most part by the municipality itself, the world is learning a new and different attitude toward the defective and the problem of defectiveness.

A MORNING IN THE LABORATORY

Here is a typical morning in Chicago's psychopathic laboratory where boys from the juvenile court are examined mentally:

A dynamic man, who answers to the professional title of doctor, is busily moving about a suite of rooms conferring with young ladies seated at tables facing a nondescript assortment of boys, girls, men and women. He stops to sign a paper or welcome a visitor or examine a rather dull looking person who has been brought in by an attendant. During it all he never seems to release his hold upon a stop-watch.

On the tops of the tables, over which the young women bend to catch the responses of those seated before them, are blank forms on which are recorded slowly a most amazing array of notes and figures—a collection which most persons would have difficulty in explaining without knowing the purpose of the questions asked. Loiter for a few moments near one of these tables and you will hear a conversation somewhat like this:

"Now, pay attention to this sentence and repeat after me: 'I saw in the street a pretty little dog; he had curly brown hair, short legs and a long tail.'"

Click-click. The stop-watch is in motion.

The subject repeats the sentence haltingly and, click! goes the watch again. The lapse of time between the asking and the answering is recorded and a word of encouragement thrown in: "That's fine."

"Count backward from twenty," says the assistant. Click-click, says the watch. The subject has barely finished the task when click! goes the watch again and the time is recorded on the sheet of paper.

Then a diagram is shown to the subject for ten seconds and removed. He is expected to copy it from memory—and the stop-watch is held on him still.

This sounds like child's play; you say to yourself that any child eight years old could answer these tests right off. No doubt of it. But the person before you is perhaps twenty or twenty-five or even thirty years of age. What does it mean?

In another corner of the room is a boy who left school at fourteen. He had gone as far as the seventh grade. He knows the different coins and paper denominations shown him; he can draw designs from memory. But in repeating six digits of the test he fails in two out of three trials. He says, in answer to questions, that if he missed his train he'd wait for the next; if he were struck by a playmate who was angry he'd forgive him more readily than if his playmate were not angry; that if he broke anything that did not belong to him he'd expect to pay for it. He has a sense of right and wrong, as well as a charitable spirit; but he failed to see anything absurd, ridiculous or funny in these four paragraphs:

"An unfortunate bicycle rider had his head broken and is dead. They have taken him to the hospital, where they do not think that he will recover.

"I have three brothers: Paul, Ernest and myself.

"The police found the body of a girl cut into eighteen pieces. They believe she killed herself.

"Yesterday there was an accident on the railroad, but it was not serious. The number of killed was only forty-eight."

This boy was more than eighteen years of age, and had gone through seventh grade, but he could not measure up to the test for an eleven-year-old child. His mental age was less than ten years. How did he manage to get through seventh grade?

A lad of some eighteen or nineteen years faces the doctor. He has a receding forehead, a red nose, pimples on his face and a lack-luster eye. He tells the doctor he was caught bumming on a train and brought into the boys' court for vagrancy.

He has uttered only a few words when the doctor extracts half a dozen pins from the lapel of his coat and begins jabbing them point first into the boy's forehead and both his hands.

The boy never winces, but goes right on talking. He has not felt the pins pricking him, but they are there, nevertheless—three or four protruding from his forehead and as many from his hands. The doctor might have shown the condition of the boy quite as well if he had placed the subject's hands and arms above his head and told him to keep them there. He would have been unconscious of the fact and might have stood so for hours.

The boy is feeble-minded; every test and indication prove it. Yet he is brought into a court to be punished for something for which he is not mentally responsible. He is not a dangerous defective but the doctor knows very well that he is the type that should be safeguarded as far as possible. But there is no place to send this boy or the other hundreds of his kind who come into the Chicago courts annually. Even the schools specially fitted to train defectives are inadequate; the psychopathic laboratory, under the direction of Dr. William J. Hickson, is showing that there are too many defectives for the school facilities provided.

Dr. Hickson's laboratory in the municipal court building is a detective agency—a place in which defectiveness is detected so that, in so far as it is possible, the municipal judges may do what they can to treat the defective rather than to punish him.

THE CORRECT TREATMENT

"Under present conditions," said Dr. Hickson, "the average mental age of the boys brought to us is about 8.69 years. These mental children deserve our pity rather than our present attitude of indifference, for they are irresponsible.

"They should not be driven from pillar to post, relentlessly hounded, treated with contempt and punishment, as they now are, under the blanket of our ignorance. Light on this subject must be spread broad-cast at once and the proper humane, medical and constructive means instituted to change the situation." It has been the hope that, with the mass of data collected by the psychopathic laboratory in the municipal court of Chicago, new laws can be written upon the statute books and a new era of adequate treatment for defectives begun.

"What the majority of our feeble-minded offenders need," Dr. Hickson continued to me, "is a life in the open, on a farm, away from the city. City life—even small town life—is much too complex for their mentalities. They do not comprehend it; they are not able to live in it with safety to themselves or to society. Their segregation would not be isolation to them, for the simplest life that can be devised for them is as much as they can assimilate. The strain on a normal mind in the midst of a complex city life is often sufficient to break it down.

"These persons should be provided for on state-owned farms, where they can be trained to produce and aid in supporting the institution. They may never become self-supporting themselves, but such employment would add greatly to their physical lives and at the same time make their burden on the state much lighter. At Vineland, New Jersey, for example, feeble-minded boys have cleared acres upon acres of timber land and increased its value threefold."

SEGREGATION IN SCHOOLS

The public school system also is to be charged with an improper classification of mental ages in its grades. In cities where no special provision has been made for subnormals or defectives, these unfortunate juveniles are pushed ahead beyond their years by the teacher's own system of leniency and her anxiety to make a good showing, and the normal pupils are held back on account of the subnormals in the same grades. This accounts somewhat for the sad lack of correlation between the pupil's mental age and his school grade.

The new step in this growth of civic responsibility toward the delinquent and defective child is in the establishment of schools specially equipped with apparatus and teachers for the proper supervision and instruction of children who do not fit into the normal school life. Because of the peculiar effectiveness of its relationship with the delinquent and dependent child, as well as the defective child, the city of Memphis stands out in striking contrast to many other cities in this country.

"MOTHER WEST" AT MEMPHIS

Mrs. Mary B. West of that city became so interested in the total lack of any regenerative work for school truants, defectives, delinquents and dependents that she induced the mayor and his council several years ago to establish an independent institution which was later called the Mary B. West Special School. Into this school were turned all the children in the public schools of the city who showed any tendency whatever toward defectiveness.

At times there are a hundred boys and girls in this school receiving instruction in the common school branches as well as in manual training and domestic science. A "model cottage" also is a feature and is taken complete care of by delinquent girls. It is considered a rare privilege by these girls to be allowed to learn how to become efficient housekeepers, homemakers and cooks, and many of them later take up responsible positions as domestics.

Boys who have no parents, or whose parents are hopelessly out of touch with them and their real needs and natures, have been sent to the school in preference to being turned out into the streets and alleys to acquire training and habits which lead them into criminal lives. Under wise guidance and direction these young derelicts have learned a useful trade and later have been apprenticed or set up in business for themselves.

Mrs. West always has taken much care to present to the incoming boy or girl the home atmosphere which she has proved is so vital in their reform. She is a mother in the real sense of the word and dozens of young charges know her only as "Mother" West.

"One can't help loving them all, even when they are almost incorrigible," she said to me. "You cannot forget that they are seldom responsible for their plight and it makes one's heart fairly bleed at the thought of sending them back into the world unprepared and unequipped for life or livelihood."

The ingenuity of Mrs. West and her specially trained teachers shows in many instances. The children take so much pride in their manual training or domestic science work that these features of the school have become the rewards for good conduct. Once threaten a pupil with the loss of his reward and he becomes immediately submissive and tractable.

The West school has, in fact, been so successful in making the boy and girl feel perfectly at home that in many instances it is a problem to induce the children to leave. One boy in Mississippi got into the habit of running away from home and making straight for the Memphis school. His father sometimes even anticipated the boy's arrival at the school by a check covering the expense of a short visit with "Mother" West and the expense of his return home. The solution came only when the boy was given the proper direction in a life work.

JUDGE HULBERT'S REFORMS IN DETROIT

In Detroit, typical of other American cities only a few years ago, boys awaiting trial were locked together in one room in the county building, with no supervision—their meals being brought to them three times a day. Idleness and worse than idleness prevailed, and conditions were unspeakable. The girls were kept in charge of the police matron.

When Judge Henry S. Hulbert assumed charge of the juvenile court of Detroit in 1909, however, he began to change all that. The boys were sent either to their homes or the Ford Republic until their cases could be heard and the girls were soon provided for by a Girls' Protective League. It was supposed at the time that these delinquents were merely delinquents; a study of their mentality had not then been made. What is being discovered since the erection of a new detention home for both boys and girls in proving the truth of Dr. Hickson's statement that less than 20 per cent of the boys sent to the reform school in Illinois from Chicago are normal; in other words, more than 80 per cent are defectives in some one phase or other—and this under a rather lenient classification, too.

"It is not a question of the mere fact that a boy stole or that a girl frequented a disreputable café. The important thing is to find out why they did it," said Judge Hulbert, "and to discover what the possibilities are for making something worth while out of these more or less derelict pieces of humanity. To do this it is not only necessary to know what the home and neighborhood of the child are, but to know something about the child himself. If we can study him for a time under everyday living conditions—in home and school, at work and play—we can size him up mentally, physically and morally, and thus be in a fair position to determine what are his possibilities and what is the best thing to do for him.

"Sometimes it happens that a boy whose record is incorrigible is found to be not a subject for reform, but a subject for a backward or feeble-minded school. Cases of truancy, theft or even more serious offenses frequently need only a change of environment, a little kindness and encouragement, or a friendly warning."

Now that Detroit has gotten started toward a policy of real juvenile helpfulness a thorough study of every side of the child's development is being made. When a case is called there is laid before the judge a chart showing the juvenile's standard of scholarship, his work, his physical condition, mental temper and status, and such other information of home life and antecedents as may be necessary or obtainable. This furnishes the court with a clearer picture of the child's make-up than could be obtained by hours of questioning.

When it is realized that somewhat less than 20 per cent of the boy offenders being sent to the reform schools are normal, it is safe to say that considerable progress on the part of the larger cities of the country is necessary to cope with the situation. Dr. Hickson said recently that in his opinion the movement toward a proper understanding of the problem is growing rapidly. Psychopathic clinics now are being held in a number of the larger cities and many of the more progressive smaller cities are ready to embark upon the same course, but they are finding a great obstacle in the lack of available experts. But since the demand has become so obvious for trained men to test juvenile offenders in schools and courts the supply will no doubt be forthcoming within a short time. The psychopathologist will, in the near future, have as secure a position under municipal government as the city engineer or the health physician.

MANAGING A TEMPORARY TOWN

BY J. O. HAMMITT

Head of Community Department of Air Nitrates Corporation

During the war the ordnance department built about a dozen temporary cities of from five to thirty thousand population each, for the employes of great explosive plants. They rank among the miracles of the war. They naturally were given little publicity and they are already melting away. Muscle Shoals, however, will become a permanent community.

WINNING the war required battle on the fields of France. Battle in France required artillery. Artillery required shells. Shells must be filled with nitrate explosives. The ordinary supply of nitrogen was less than 25 per cent sufficient.

Here was the neck of the bottle.

The air contains nitrogen. There being plenty of air, the nitrate division of the ordnance department faced the necessity of employing atmospheric nitrogen to make up the war requirements.

This required a series of air nitrate plants, the biggest of which, utilizing the cyanamid processes, by arrangement with American Cyanamid Company, was built at Muscle Shoals, in northern Alabama, on a site properly located from the viewpoint of inland safety from enemy attack, availability of raw materials, proximity to the largest market for nitrate fertilizer after the war should be won, opportunity to use the great water power already projected by the government to be built on the Tennessee river, and other advantages.

But the site was four square miles of corn and cotton fields, adjacent to no city of considerable size. To build the plant required a working force upwards of 20,000. For this working force there must be housing and facilities for living. Hence, winning the war required a new town in northern Alabama on the banks of the Tennessee.

Winning the war also required speed. Shells delivered in 1920 could not win battles in 1919. The construction town must, therefore, be assembled, organized, and the essentials for its population provided in a period of months.

Early in January, 1918, it had a few temporary buildings and a population of 300. This had jumped by the end of January to 1,000, by the end of February to 3,900, by the end of March to 4,700, by the end of April to 9,000, by the end of May to 14,000, by the end of June to 16,000, by the end of July to 20,000 and by the middle of August to more than 21,000. A population multiplied by seventy in seven months! After that it declined, because the construction town was necessarily temporary, though already a start had been made in building for the operating force a modern, permanent industrial city which when the plant is again set in motion for its peace-time purposes, will have a population from twelve to twenty thousand.

Here were some rapid-fire problems in city management, quite out of the ordinary. A brief discussion of a few of them may perhaps have suggestive value even for those who have grappled with the problems of a permanent community.

MANAGING A CITY AND ALL ITS BUSINESS

We were not limited in Muscle Shoals to the mere matters of city government, but in addition operated all the purveyors—the entire retail business of the construction town. It was the extreme of municipal ownership and operation. We were sole landlord and the only store keeper. In the government itself, we were not bound and hedged about by the municipal laws of any state, because the reservation was under the direct management of the ordnance department. Nor were we limited by federal laws relating directly to city government, because there were no such laws in the federal statutes.

The following departments were set up under the supervision of a community director:

Camp supervisor's department, in charge of the maintenance of all buildings, fire protection and sanitation. Everything from the repair of a door knob to the remodelling of groups of buildings for new occupancy or the laying of steam mains was under the direction of the camp supervisor. He delivered coal, wood and ice to about 1,500 points on the reservation, two miles square. He operated central heating plants. He removed and disposed of all trash and wastes. With modern apparatus he put out fires. His maintenance organization was on call day and night, with carpenters, plumbers, steamfitters, sheet metal workers, locksmith, typewriter repairer, glaziers, painters, electricians, general mechanics, laborers and teams.

Commissary department, which prepared and served the food. The chief of commissaries, besides operating all the eating places, conducted an enormous bakery whose products were partially sold through the retail stores. In one day it produced 13,000 loaves of bread, each twice the size of an ordinary baker's loaf, 1,000 pies, 100 dozen cakes, 60 dozen cinnamon rolls, and 150 gallons of pudding.

Business department, which managed revenue producing activities—stores, canteens, motion picture theatres, pool parlors, tailor shop, dry cleaning establishment, barber shops, news stands, a hotel, a vegetable farm, and a hog farm where 1,000 hogs were raised on the waste from the eating places. Some of the hogs were slaughtered in his slaughter house, put through the regular packing house course, and served in the eating places or sold through the retail stores. The community's capacity for pork consumption not being equal to the supply, however, hogs were sold on the hoof. The business supervisor operated a great laundry which not only washed all the camp linen and blankets, but did custom work for the community. It cleaned 7,493 pieces in a day.

Health department, which operated the hospitals, treated the sick, prescribed and supervised sanitary measures, and conducted preventive health campaigns. Since the service was entirely free of charge, there was no competition even in out-patient work.

Education and welfare department,

which conducted the schools and organized and managed community recreation facilities.

Real estate department that rented and managed the family quarters which were the only ones (besides rooms in the hotel) for which any rent was charged.

Housing department, which assigned to quarters everybody except the families, and also a few hundred families that lived in tents and paid no rent. This department took care of all the dormitories, furnishing janitor service everywhere.

Then under separate jurisdiction from the community directorate were the police and guards, who not only kept order within the community but guarded all entrances through the plant fence to prevent unauthorized persons from entering. This department also at times conducted its own courts to impose penalties upon minor offenders.

Within our limitations of space it is not possible to discuss all these departments in detail, and our attention had best be concentrated, therefore, upon some of particular interest from the viewpoint of city management.

RECORD GROWTH OF A HEALTH DEPARTMENT

The nucleus from which the health department grew was a physician imported from the city of New York who arrived early in January, 1918, and was given a small office in one of the four temporary buildings which at that time constituted all there was of our construction town. He borrowed from the chief of police the following limited equipment of medical supplies: 100 aspirin tablets; about 50 c.c. pills; 1 ounce of 10 per cent nitrate of silver; 1 quart of carron oil; 1 pound of salts. With this and a surgical outfit, consisting of one Hall's emergency first aid kit, one pair of bandage scissors, and one pound of absorbent cotton, he proceeded to treat the ailments of a population multiplying with such rapidity that it was not long before he found himself in charge of the health department and hospitals of a sizeable city.

In some respects the conditions were favorable to propagation of disease. The winter was the severest that had visited northern Alabama since the first records were made. Ice floes on the Tennessee river were such as had never before been seen by the oldest inhabitant. The government reservation itself, when not covered with snow, was frequently a great marsh where men worked in mud above their knees. It was not proper weather for road building, but the construction must go forward at fever haste regardless of the unsuitability of the season. Southern negroes, with whom pneumonia is generally fatal, worked long hours under these unaccustomed conditions and then, at night, threw themselves on their bunks without even removing their wet clothes. A local pneumonia epidemic developed among the negroes in the spring of 1918.

Later in the year it was necessary to combat the danger of typhoid fever which has decimated so many construction camps. Housing on the reservation of great numbers of mules and horses established breeding places for flies that required continuous attention.

Moreover, the site of the plant was in the heart of the malaria district—not that this should ever have been urged as a reason for locating it elsewhere. There should be no malaria district in any civilized country. Without delaying the work of the construction we succeeded in eliminating malaria from the Muscle Shoals section by abolishing mosquitoes through ditching and draining stagnant water or covering pools with a thin coat of oil that destroyed the larvæ. The mosquito season did not arrive, of course, until our community had had a few months to organize. During the summer I heard a foreman say to a newly arrived mechanic: "If you see a mosquito anywheres around here, son, just call a cop and have him arrested. They ain't allowed in the reservation."

Ultimately, what had been originally conceived of as a first aid hospital had grown to a complete modern hospital, with four wards, quiet rooms, operating room, X-ray room, drug-room, kitchen, dining room, doctor's office, examination room, and a nurses' home located in a separate wing. By the end of May a separate dispensary had been added to which extensions were later made from time to time to accommodate a dental, eye, ear, nose and throat and genito-urinary clinic in addition to the surgical dispensary for first aid work. The capacity of this hospital was ninety-six beds and to it were added various overflow and emergency hospitals so that, during the influenza epidemic when there were 639 patients, there was an emergency capacity of about 100 made ready but never used.

ISOLATION HOSPITAL MADE WHILE YOU WAIT

From the beginning, however, it was necessary to improvise where the demands, from time to time, exceeded the facilities. An incident that occurred within ten days after the arrival of the first physician may serve as an illustration. A man who entered this doctor's office at about 4 o'clock in the afternoon was found to be suffering with smallpox. The county authorities had no place to isolate the patient so he was stationed under a big oak tree, guarded by a policeman, till a small tool room could be carried about a quarter of a mile out into the fields and provided with a stove and a bed. There were no deaths from smallpox.

Until the arrival of the influenza epidemic in the fall of 1918 it had not been recognized as sound policy to provide hospital facilities greatly in excess of the immediate requirements. In October, however, the demands for hospital accommodations jumped to about seven times the supply. Here was a problem for the maintenance department to meet by equipping overflow and emergency hospitals. Buildings designed for other purposes were of course taken for this use. One recreation hall, for example, was provided with plumbing, additional heat, cots, bedding, blankets, medical supplies, doctors, nurses and patients within eight hours. The patients were started to this hospital in ambulances at the same time that, from another point, the facilities for accommodating them were still being carted.

During the eight months when the death rate was not affected by epidemic influenza and pneumonia the deaths from disease were at the rate of 12.4 per thousand per year, which is lower than in most cities and congested sections in the same latitude and climate. Of the 967 cases of pneumonia there were 474 deaths, a mortality rate of 49 per cent, which compared favorably with that in army cantonments and camps throughout the country where it ranged from 55 to 82 per cent according to published information.

Next to influenza the largest class of cases were surgical. In all 647 major operations were performed in the hospital, resulting in but three deaths, which is believed to be a lower percentage than that of any of the metropolitan hospitals.

There were only two deaths from typhoid, and it was not established that even these two cases were contracted in the camp. In the entire period from January 1, 1918, to March 31, 1919—fifteen months—there were only sixteen cases of typhoid. Malaria was practically non-existent.

Much of the success of the health administration is due to the establishment of the Muscle Shoals sanitary district of the United States Public Health Service. In the fall of 1918 the public health service moved its main headquarters for this district to the government reservation and a consolidation of forces was accomplished by which the entire health work of the construction town was placed under direct supervision of the federal public health officers. This was the form of organization that fought the battle with influenza and, by the enforcement of stringent measures of sanitation, prevented a serious increase in the number of cases when the epidemic reoccurred in various sections of the south in January and February of this year.

WORK OF A SANITARY LABORATORY

Very early an institution called the field sanitary laboratory was established with a force of chemists working under the supervision of a sanitary engineer. It performed many diverse services—water and sewage examinations, bacteriological examinations of milk, examinations of filter sand, manufacture of sticky fly paper, special reports upon methods of mosquito and fly elimination, laboratory work for the hospitals and weather reports. Some physical work in connection with camp sanitation was at times placed under its direct control and supervision including the treatment of water, the operation of sewage disposal works and the extermination of flies in the eating halls by spraying.

STREET CLEANING AND SANITARY ORGANIZATION

Most of the physical work in connection with sanitation was performed by an organization of laborers and teams directed by a superintendent who was called the chief of sanitation. This work was checked by independent inspection of the United States Public Health Service. The sanitary division did all the work which in a permanent city is performed by a street cleaning department. Garbage was separated and the suitable parts delivered at the hog farm. The remainder was burned in an eight-ton incinerator. Refuse was burned at a dump. Manure was carried from the stables to the vegetable farm for fertilizer. It was found that when the farm labor could not plow it under on the day it was delivered the farm became a dangerous breeding place for flies, so the manure was treated with borax water in the proportion of an average of one pound of borax to five gallons of water. If this is thoroughly done one treatment is sufficient to eliminate the fly breeding of an entire season. Barns and stables were supplied with creosote oil and creo-disinfectant to keep down fly breeding. Around the eating places, butcher shops and houses in the colored quarter, where waste water was apt to be carelessly thrown, the ground was dug loosely and saturated with chlorinated lime. Tight metal garbage cans with covers were used for holding all garbage and these cans were cleaned and disinfected by steam.

HOW MALARIA WAS ABOLISHED

Two foremen and six laborers were detailed to mosquito elimination, and considerable attention paid to instructing the foremen and men in regard to the habits and life history of the mosquito. The oil for spraying was a mixture of four gallons of kerosene to one of black oil and the quantity used varied from ten to fifty gallons daily. The oil was not applied to all pools but only to those containing larvæ or which on previous inspection had proved to be mosquito-breeding places. This not only saved oil but increased efficiency by exciting greater interest on the part of the foremen who were called upon to use ingenuity in locating and destroying all mosquito-breeding places each time they made an inspection.

SEWAGE DISPOSAL

The sewage passed into the Tennesse river at a point above that at which the water supply of several of the neighboring communities was taken. To avoid pollution of this water supply the sewage was passed through Imhoff tanks and disinfected. Prior to the completion of the Imhoff tanks the sewage was disinfected by a temporary hypochlorite installation.

PROTECTION OF WATER SUPPLY AND FOOD

Vital here as elsewhere, of course, was a pure water supply. The first drinking water came from a large spring. Till January 21, 1918, water for all purposes was hauled in barrels. Gradually from this beginning there grew first a temporary and subsequently a permanent system both for the plant and for the community with a main storage reservoir of 65,000,000 gallons and an adequate mechanical filtration plant. Frequent examinations of the water were made by the field sanitary laboratory. Until a construction camp population was located on its water shed, the spring water was safe without treatment, but this, as well as the large quantities of river water used, were treated from an early date both for removal of dangerous bacteria and for promoting the settling to remove turbidity. There was no epidemic of water-borne diseases in the construction town.

Food was adequately inspected by the public health service, both upon its receipt and in the markets and eating places. Dishes in the eating places were sterilized by immersion in boiling water between services. A convenient arrangement for this purpose was a large sink, to which a steam pipe was connected to keep the water continually at boiling temperature, and a wire basket in which the dishes were immersed and agitated by hand. Following this sterilization, the dishes were allowed to dry instead of being wiped with towels which might have spread infection.

UNCLE SAM'S SCHOOL PROBLEM

In many such war construction towns there were children of school age. At Muscle Shoals we had a school population of more than a thousand, though most of our people were construction male labor, living without families in barracks and dormitories. The school problem was unusual, because the children came from all parts of the United States and from Canada, and had received their training in all sorts of institutions from the one-room district school to the best developed systems in the large cities. Furthermore, the labor turnover affected the schools. About one sixth of the entire enrollment would leave each month, and new pupils come in to take their places. Because of the variety of their previous instruction, it was not easy to place the children in proper grades, and they required much individual help.

The secretary of war met this situation by creating the community organization branch of the ordnance department which, with advice and aid of some of the greatest school men in the country, prescribed the courses of study and recruited teachers from the best established systems. It is doubtful if, for a school population of equal size, any community ever had a more competent teaching force than Muscle Shoals. The teachers in the majority of instances were enlisted for the war with the understanding that their positions in the great systems from which they came would be kept open for them.

The schools were appreciated generally by the parents, for many of whom they were undoubtedly the best their children had attended. Attendance was maintained without the slightest necessity to enforce truant laws. The schools were one strong influence in creating a community spirit.

BUILDING A COMMUNITY SPIRIT

This matter of making the hastily assembled population recognize a local community interest in Muscle Shoals was, in fact, one of the most interesting features of the job of town management. Most of the people came only to do their part in building the plant and had no expectation of long residence in the community. In the months when labor turnover was greatest, the population was often made up about equally of three separate groups—those coming in, those going out, and those planning to stay a while longer. They did not easily see their stake in the community as they would in a settled city of permanent residence. There were no elections of the town officials and no occasion for political contests and meetings. The form of town government was prescribed and its officials and employees appointed without consulting the suffrage of its people.

Under these conditions anything that contributed to a community spirit was of greatest importance. Red Cross and other war drives, baseball leagues and contests, numerous social clubs and associations and even the calls for volunteer help in fighting the influenza epidemic were means to this important end.

There was no extensive program, however, of supervised recreation. Certain facilities were provided for entertainment, but the people of the construction town organized their own amusements. There were moving picture theatres and pool parlors, canteens where soft drinks and ice cream were served, recreation halls with cozy open grate fires, baseball fields, an open air amphitheater where boxing bouts were held, a picnic ground, barbecues in the neighboring country, community Christmas trees, a great Fourth of July celebration with contests of volunteer fire companies, and throughout all seasons of the year invitation dances—often several dances on one night. The recreation officials were in touch with these various activities for the purpose of supplying such facilities and equipment as were required, but it was found that the community spirit grew better with the effort of the rapidly assembled population to entertain itself than with any ready made program of recreation that might be officially provided for them. The churches also helped.

What we needed to complete the fourth largest city in Alabama, raised in the corn and cotton fields of Muscle Shoals in less than a year, was assurance of continued operation of the great plant and a charter giving the people a voice in their government. These might have come if the war had continued. The code of Muscle Shoals, approved by the ordnance department, would have opened the way to self government. But the Kaiser quit too soon.

THE PSYCHOLOGY OF THE REFORMER AND THE STAND-PATTER

BY HENRY W. FARNAM
Yale University

Recognizing our moral right to possess our own literary portrait, the Unpopular Review *generously shares with us these excerpts from "The Psychology of Reform" which it published in a recent issue.*

I. THE REFORMER

THE situation which creates the need of reform is usually one in which those who enjoy rights either lack the economic power or the ability or the inclination to use them wisely. . . .

When such a dislocation begins to show itself, certain people of exceptional keenness of perception or sense of justice begin to agitate reform. Sometimes they are those who have suffered some personal wrong from the abuses complained of. Quite as frequently they have no egotistic interest in the matter, but are moved by sympathy with the oppressed, or by patriotism, or by some other altruistic impulse. A man of this type is Kipling's ideal reformer:

> . . . who, bred and taught
> By sleek, sufficing Circumstance—
> Whose Gospel was the apparelled thought,
> Whose Gods were Luxury and Chance—
>
> Sees, on the threshold of his days,
> The old life shrivel like a scroll,
> And to unheralded dismays
> Submits his body and his soul;
>
> He shall forswear and put away
> The idols of his sheltered house;
> And to Necessity shall pay
> Unflinching tribute of his vows.
>
> He shall not plead another's act,
> Nor bind him in another's oath
> To weigh the Word above the Fact,
> Or make or take excuse for sloth.
>
> The yoke he bore shall press him still,
> And long-ingrainéd effort goad
> To find, to fashion, and fulfil
> The cleaner life, the sterner code.

But every reform movement contains a great many variants upon this ideal, and occasionally includes some alloys and some counterfeits. Like an army, it has to use different types of fighters adapted to different kinds of work and different stages of development. It is usually preceded by the pioneers or scouts — people of intense conviction, singleness of purpose, and courage. Very often the persecution to which they are naturally subjected develops a certain fanaticism and drives them to extremes. These are the Savonarolas, John Knoxes, Robert Owens, Garrisons, John Browns, and Carrie Nations. A certain amount of fanaticism is often necessary to give them the driving force; it is like the high tension current that spans distance. While their radicalism arouses opposition, it gives what modern parlance calls "good publicity"; it advertises the evils that need reforming. If Samuel Plimsoll had not felt the injustice of the sailor's lot so intensely as to lose his temper in the House of Commons, the merchants shipping act might never have been passed.

The scouts are often followed by the engineers who prepare the way by science and study. They furnish the intellectual basis of the movement. They are men of the type of Helper in the anti-slavery movement, or of the committee of fifty in the movement to regulate the use of alcohol. Their work is often unobtrusive and at the time may seem to be of little value, but they lay the foundation on which others will build.

The artillery of the reform movement is represented by the orators and the pamphleteers. They open the way for the final onslaught of the infantry, which marches in when the mass of the people become convinced of the need of reform, and unconsciously become reformers.

The strategist of the reform army is the statesman, who waits until the scouts and the engineers have done their work, and until he has gathered sufficient artillery and infantry to carry the day. Lincoln was preeminently of this type. The real statesman often has to occupy a middle ground, appearing lukewarm to the eyes of the radicals, and radical to the eyes of the conservatives. He has to endure misrepresentation in silence, but it is upon his ability to weigh the different forces involved that the victory depends.

As the reform army increases in numbers it inevitably becomes diluted in quality. The men of conviction are joined by others who are influenced mainly by class interest, or who are swept along by public opinion, or who merely like to be on the winning side. When success is assured, there are not a few whose motives are purely sordid and who take advantage of the public sentiment to feather their own nests. They are the camp followers of the army, and not seldom bring the very word reform into disrepute.

When class interest becomes predominant, reform may turn into revolution.

II. THE STAND-PATTER

Vested interests are the greatest obstacle to reform, and there is hardly any institution which is not tied up with such interests. The feudal lords had their estates and their feudal privileges. The Church of Rome had its great investments in church buildings, schools, and monasteries, to say nothing of Peterspence and other sources of income. Slavery had its plantations. The first impulse of the conservative is to charge the reformer with an invasion of the rights of property. This was the great argument of the upholders of slavery, but we find it constantly repeated by those who oppose tariff reform, liquor reform, and now even the reform of our extravagant habits in order to finance the war. Anyone who advocates saving or economy is liable to be branded as an enemy of business.

Besides the inevitable reaction of the pocket nerve, another common obstacle to reform is found in the mental inertia (euphemistic for stupidity or laziness) of the great mass of the people. Their favorite argument is that the reformers are undermining the foundation of ethics or politics or society. They are temperamentally Bourbons; they learn nothing and forget nothing. Often they have been infected in early youth with certain doctrines for which no mental serum had been discovered. In our country such a conservative force has been the doctrine of states' rights. This was the intellectual arsenal of the proslavery forces at the time of the Civil war. It reappeared as the enemy of the conservation movement. It cropped up in opposition to the regulation of child labor by the federal government. It blocked for years the reform of our banking system. More recently it has stood in the way of the reform of the army, even when the weakness of the militia system was obvious. It was resorted to in such a relatively small matter as the prohibition of the use of poisonous phosphorus in the manufacture of matches. It is before us now in opposition to the prohibition by amendment to the federal constitution of alcoholic drinks. . . .

When the stand-patter is not able to deny the evils which the reformers criticise, he often holds the reformers responsible for those evils. Before the Civil war the slave-owners claimed that the persistency of slavery was due to Garrison and the other Abolitionists, and that if the institution had been left alone, it would have been reformed by the southerners. An able southern statesman has recently maintained this thesis in a book. But the evidence is all the other way. The whole course of slave legislation in the South was in the direction of confirming, not reforming, the institution of slavery. We find a similar argument brought up with regard to the liquor problem, when the prohibitionists are made responsible for aggravating the evils which they criticise. There is often this modicum of truth in such contentions, that an active reform movement almost always stiffens the resistance of those who are opposed to it. But some sober judges claim that in both of the instances cited, the violent reform movement did not begin until all prospect for reform from within had vanished, and the tide was setting towards the consolidation, not towards the elimination of the abuses complained of.

Another element in the psychology of the stand-patter, which recurs with remarkable frequency, is the tendency to accuse the reformer of hypocrisy. When the Abolitionists were showing up the evils of slavery, Calhoun and other southern statesmen retorted by pointing out the bad conditions under which factory hands lived and worked in the North, and charged the Abolitionists with being hypocrites. When civil service reform began to be effective, the spoilsmen sneered at it as "snivel" service reform. The liquor interests inveigh against the temperance reformers as holier-than-thous. In fact this charge returns so frequently that it has stimulated an inverted hypocrisy, which is often as far from reflecting the real life of the individual as is the traditional hypocrisy of the Pharisee. There are not a few people who are so afraid of being thought better than they are, that they go to the other extreme and affect to be worse than they are. If hypocrisy is the tribute which vice pays to virtue, inverted hypocrisy is the tribute which virtue pays to vice. The amateur politician likes to seem to be one of "the boys," even when he has little in common with them. The clergyman is pleased to be taken for a layman; a really temperate man may affect the manners of the barroom in order to show that he is a good mixer; the scholar sometimes poses as a sport.

The insider almost always has one advantage in argument. He is usually better informed regarding his fixed interests than the reformer. The slave owners before the Civil war knew a lot about the social incidents of the slave system which the Abolitionists did not know. The spoilsmen know a lot about practical government which the civil service reformer, as such, does not know. They appreciate the difficulty, when you have selected your good man, of getting him to serve. Hence, the insider is apt to despise the technical blunders of the reformer, and to regard him as visionary and unpractical. On the other hand, the insider is often blind to the broader aspects of the question, because he sees so much of the details, and in particular of the loss which would come to him from reform. This has been a striking characteristic of the insider in our public service corporations. Many of them have been so successful in overriding public opinion, that they have over estimated the indifference of the general public. They have not taken to heart Lincoln's: "You cannot fool all of the people all the time."

Enough has been said to show that in all reform movements, whatever the immediate question, there are certain typical mental attitudes. As soon as the slogan of Reform has been sounded, the experienced psychologist can predict with a fair degree of confidence that certain characteristic groups will show themselves on each side of the controversy, and that in the action and reaction of the attack and the defense, certain types of argument and rejoinder will be used.

When reform has accomplished its end in whole or in part, it often creates its own vested interests, its own prejudices, its own conservatives. The reform movement of one generation then crystallizes into reaction in the next. . . .

This tendency of reform to harden into reaction is aided by the fact that the individual reformers, as they grow older, naturally tend to become less receptive to new ideas. The story of their past achievements becomes a legend which they revere, and they cannot always realize that what was real progress in their youth, no longer meets the needs of the times in their old age. . . . Every law which has been passed, every reform which has been carried, is liable to develop abuses or faults which were not realized in the beginning. If the reformers could constantly maintain an open mind, reform might then be a steady, quiet process instead of proceeding by jerks; and revolutions, with their reigns of terror, would be supplanted by quiet evolution.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

Towards Citizenship[1]

One of the by-products, and by no means the least important, of the Great War, is a general feeling of dissatisfaction with the existing methods of training and preparation for citizenship. Autocracy, in Germany at least, trained its people to fit into its scheme of government, but what democratic country before August, 1914, adequately prepared the whole body of its citizens for the duties of citizenship or for an intelligent understanding of the civic tasks that lie before them. Professors Woodburn and Moran have prepared a suitable text-book in government which, though intended for use in secondary schools, might very well be put into the hands of older students and indeed of intelligent voters who at present in many cases have but the haziest notion of how government functions. The book explains concisely and clearly the interrelations of federal, state and municipal government and the characteristics and powers of each; the machinery of party; the system of taxation and other matters without a knowledge of which no one can cast a vote intelligently. The authors referring to the common view that voting is not a "right" but a "privilege" say that it is a purely academic question which of the two names we apply to it. But is it not time that citizens should look upon the vote as an important duty, which should never be omitted and which should be discharged with the most conscientious care?

The authors have no hesitation in speaking in plain terms of anything which appears to them to be wrong or undesirable. "One of the greatest evils in American life" they say "is the deplorable lack of efficient, vigorous, and constant law enforcement. America holds rather a unique position among nations in this respect. There were ninety-six lynchings in America in 1914. Ours is the only civilized country on the globe in which men are burnt alive by lawless and fiendish lynchers. Of course, to the extent that such savage and horrible practices are tolerated, we are not civilized, but barbarous. The community which practices or condones such lawless and public murders degrades itself and brings a reproach upon the state." There are many cities, where not merely secondary school students, but also newspaper editors and other voters who have arrived at the years of discretion need to be reminded that "there is no Democratic way of removing city garbage or getting a good supply of pure water, nor a Republican way of safeguarding the city health. Political parties are not divided on such questions as to whether there should be a new high school building or whether the city streets should be better paved, or whether the police should enforce the law."

The illustrations in this volume are clear and appropriate, the topics suggested for discussion are well-chosen and the references are full and up-to-date. There is an occasional slip-shod statement like this "as was promised in the Magna Charta *several hundred years ago*" (as if the date of Magna Charta should not be definitely mentioned!). The references to the details of the commission and city manager forms of government are now a little out of date, but this is not the fault of the authors as only a vigilant committee specially appointed for the purpose could keep abreast of all the numerous changes in the forms of municipal administration.

The Eve of Election, as its name suggests, has been inspired by Whittier's well-known lines, and although it is perhaps a little far-fetched to use one of the poet's stanzas as a text for each chapter, the spirit in which the book is written is only too much needed and only too seldom to be found. The author during many years of editorial experience has been able to study political activities at close range. Although he has seen the dark side of politics, he still retains his faith in "the common sense of most" and in the average man's sense of fairness. He has high hopes of the new woman voter and thinks that the grant of the franchise to women will raise the standard of moral and civic value for the ballot. Unless both sexes regard the vote as a moral trust and an opportunity, politics will never be lifted out of the mire and we shall continue to be under the rule of the boss and the machine. In other words there can be no hope of clean and sane and efficient government.

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[1] The Citizen and the Republic. By James Albert Woodburn and Thomas Francis Moran (Longmans, Green & Co., $1.50).

The Eve of Election. By John B. Howell (Macmillan Co., $1.25).

The Little Town. By Harlan Paul Douglass (Macmillan Co., $1.25).

The large cities on this continent have, perhaps, had more than their fair share of attention from the reformer and the sociologist. Mr. Douglass, the secretary of the American missionary association, addresses himself directly to the mind of the little town, which he has carefully studied, particularly in its rural relationships. Many people think that the small town is decrepit because it is for the most part doomed to lose its progressive elements. Mr. Douglass is convinced that we must look to it for leadership in the betterment of the open country. His book is a careful and suggestive study of the little town's people, its structure, its institutions and its ideals. "Little townspeople" he says acutely "become rapidly partisan over their leaders and the causes they represent—their denominationalism, their politics, their commercial rivalries. In the city all the functions of life are performed steadily and in large measure, anonymously, their reasonable average of success or failure being assumed without bitterness and without special pity or affection. In capacity for love and hate Littleton has no equal." And it is just because he is aware of these foibles, that Mr. Douglass in his concluding chapter on "the little town's program" is so sane and practical and, in the best sense of the word, up-to-date.

R. P. Farley.

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Keeping Our Fighters Fit. By Edward Frank Allen and Raymond B. Fosdick. New York: Century Co., 1918. $1.25.

For the first time in history, as President Wilson remarks in his Foreword to this volume, an effort was made from the very beginning to surround our enlisted men "both here and abroad with the kind of environment which a democracy owes to those who fight in its behalf." This was largely the work of the federal commissions on training camp activities, organized for the war and navy departments, and their achievement on the whole has validated the effort. The primary aim of these commissions was to aid in what the book calls "the development of a purpose"—"to win the war. . . . To make the men fit for fighting and after it bring them back from war as fine and as clean as they went is just plain efficiency." To achieve this result it was necessary to solve the problem of the enlisted men's spare time, which in previous wars, and in other armies even in this war, has been given largely to idleness if not active dissipation. The public is already so familiar with the story of America's effort in this respect that it is scarcely necessary here to do more than allude to such methods as the development of club life in the cantonments, which served the purpose of promoting military *esprit de corps* and filling in odd moments; athletics, practised and supervised as both recreation and education, and as having preventive value in keeping the men away from vice; the cultivation of camp singing, partly for its inspirational effect and partly as a dissipator of the tedium connected with routine duties; and the encouraging of the soldiers to use what time they could in profitable reading. On the whole, the social life of the camps bulked large, as seen not only in the various local clubs but in numerous hostess houses under the supervision of good and true women. Part of the problem here involved was the establishment of proper contacts between the camps and the large centers to which many of them were adjacent. This involved not only the promotion of friendly relations between soldiers and citizens, including local religious forces, but the drastic cleaning up of various red-light districts. A few towns, for instance, which felt at the outset that the local control of prostitution was a "new-fangled notion" were brought face to face with the option, under orders of the commanding officer, of effecting a "clean-up" or of losing entirely the patronage of the camp. It would be pleasant to believe, on the basis of the record given in the volume under review, that the government's effort in solving this problem of vice was entirely successful. That would, however, be almost too much to ask, and there has been some recent testimony from individual soldiers, for instance, that even despite the various safeguards above alluded to sex matters bulked far larger in the thought and life of our enlisted men than might have been wished. It is, in short, one of the outstanding indictments of war that it tends to stimulate the passions of men, though in the case which we are considering so much was done—more than ever before—

to safeguard, if not their morals, at any rate their health by compulsory medical treatment. In some instances, at least, it is encouraging to know that the very ideals for which the war was fought helped many a man—and sometimes whole units—to keep himself clean who under different conditions might have gone wrong.

F. M. CROUCH.

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THE GOVERNMENT OF THE UNITED STATES, NATIONAL, STATE AND LOCAL. By William Bennett Munro, Professor of Municipal Government in Harvard University. New York: The Macmillan Company, 1919. 648 p. $2.75.

Through his well-known books on municipal government, Professor Munro has established a reputation as one of the foremost authorities in that field. This prestige he now extends to the whole field of American government by the publication of a volume which is in many respects the best work of the kind available. Though primarily a college text-book, it presents "a general survey of the principles and practice of American government" which should appeal strongly to the general reader. The treatment is lucid and non-technical without being either superficial or "popular."

The author endeavors, as he states in the preface, "not only to explain the form and functions of the American political system, but to indicate the origin and purpose of the various institutions, to show how they have been developed by law or usage, to discuss their present-day workings, merits and defects, and to contrast the political institutions of the United States with analogous institutions in other lands." It is needless to say that even in these 648 meaty pages little space is devoted to comparative government and relatively little to merits and defects. It would require two such volumes to do much more than describe the institutions of federal, state and local government, with some attention to their origin.

Naturally in covering so broad a field many important topics have to be passed over with bare mention. In many cases, however, further sources of information are cited in the footnotes. It is but natural, also, in dealing with so wide a range of topics that misstatements in matters of detail should have crept in. It might be pointed out, for instance, that New York State offers an example of the legislative budget rather than of the "joint budget" system, while Massachusetts, under a law which went into effect July 1, 1918, instead of being the chief exponent of the legislative budget, actually has an executive budget. Exception might also be taken to Professor Munro's analysis of types of budget-making machinery.

C. C. WILLIAMSON.

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THE FOOD CRISIS AND AMERICANISM. By William Stull. New York: MacMillan Co. $1.25.

The author wrote this book apparently to call attention to his conclusions that mortgages on American farms are increasing in number and in amount in greater proportion than farm assets are increasing; that the yield per acre on American farms is being reduced because fertility is not replaced to the extent that it is taken out; that the supply of labor on American farms is not in proportion to the needs at any time of the year; and that American farmers are growing poorer while feeding the organized laborers of the cities who are becoming better to do, though on wrong principles of economics. Robert Ingersoll once said that if it were true that all of us except a few select Christians were going to hell, it was high time something was being done about it. If the American people could be convinced that the situation on American farms is as bad as this author says it is, they would stop all else to see that something was done about it. The ends the author would accomplish are laudable. But if his book were the only means to attain those ends little indeed would be done. The book is replete with statements that are too inclusive to have substantiation in fact: "The chief opposition to Chinese labor comes from 'idlers' and organized labor" (p. 17); "No man can properly till eighty acres of land" (p. 18). Such is typical of the "factual" statements that form the background of the author's plea for help and that quickly. The book is neither a good argument in style nor does it entice to conclusions because of its facts. On the contrary it closes the mind of those informed, because of its inaccuracies.

CLYDE L. KING.

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DEMOCRACY v. AUTOCRACY. By Karl Geiser. D. C. Heath. 94 p.

In this little volume Professor Geiser undertakes in a practical way to elucidate the meaning of "making the world safe for democracy" by giving, in very brief compass, a description of typical autocracies and democracies, including the governments of America, England, France, Italy, Germany, Austria-Hungary, Belgium and Brazil.

The book is evidently intended as a guide to a busy general reader and it will doubtless serve that purpose well, if one is careful to bear in mind that much of the treatment, particularly that involving Germany and Austria-Hungary, is already out of date.

If there is fault to be found, it should perhaps be said that more effort might have been made to measure up the actual with the formal government and that more emphasis might have been laid on economic factors.

H. S. Gilbertson.

II. REVIEWS OF REPORTS

The Immigrant Publication Society, Inc.,[1] is a patriotic and educational organization founded by its present director, John Foster Carr. Its purpose is to give the immigrant practical guidance in the new land, as well as accurate information about the opportunities of American life—especially agricultural life; to help him to learn English and to give him the American education he needs and often desires; and to prepare him for intelligent and patriotic citizenship. Its work is distinctive in this: All its publications have been prepared with the close co-operation of men and women who have themselves been immigrants. This has assured accuracy in dealing with facts and an unusually sympathetic approach to the foreign-born. It has resulted in winning cordial support from all the different national groups for which work has so far been undertaken. Membership carries with it a consulting privilege, as well as a right to the society's publications.

Mr. Carr's work began in the preparation, at the suggestion of the Italian government, of an *Immigrant's Guide to the United States*. This has also been published in Polish and Yiddish—the latter with a separate English translation—with careful adaptations to the greatly differing needs of these two nationalities. Hundreds of requests have been received for the publication of this little book in twenty-six other languages.

The popularity of these books among the foreign-born quickly secured the interest of the libraries in the work; and their requests for help and advice for library work with the foreign-born led to the preparation of *Immigrant and Library: Italian Helps*. This was based upon the practice of the leading popular libraries of Italy and upon the experience with Italians of many important libraries in the United States, and was published in co-operation with the publishing board of the American Library Association. It provides a carefully chosen and annotated list of books, the choice ranging from the latest and simplest to the great works of Italian literature. There are books about the United States, a generous selection of fiction, poetry, drama, translations of world classics. Stress is laid on the useful and practical, and there is a good selection of simple books on science, the trades, art, music. This is to be followed by a similar manual for Yiddish and Hebrew and for other languages.

The next book published by the society was a text-book on learning English, written by a former immigrant: *Foreigner's Guide to English*, by Azniv Beshgeturian. A more advanced book in English followed: *Makers of America*, by Emma Lilian Dana. In this, the two great constructive periods of American history and the theory of American democracy are covered in short biographies, stirringly written, of Franklin, Washington, Jefferson and Lincoln.

More recently, the general need of librarians, teachers and social workers for advice in their work with immigrants has led to the publication of an informal series of booklets which includes: *Bridging the Gulf*, on work with Russian Jews in New York; *Winning Friends and Citizens for America; Work with Poles, Bohemians and Slovaks* in Cleveland; a third, *Exploring a Neighborhood*, is a community survey of a new sort, dealing with a city foreign colony. A *Guide to Citizenship*, popular and appealing, and a history of the United States are in preparation.

The publications of the society are now being used by nearly eight hundred American public libraries, by a growing number of progressive schools and by a considerable variety of patriotic, religious and industrial organizations. A more effective commendation of them is their enthusiastic acceptance and use by those for whom they were prepared—the immigrants.

As the society has sought the collaboration of the patriotic foreign-born American, it recognizes that the immigrant brings to the American community in which he lives rich contributions which are too often ignored or undervalued, through a failure to draw a distinction between what is undesirable and what is simply strange. Our reaction to the immigrant's contributions has a strong influence upon him, and the society purposes to extend that part of its work that is concerned with interpreting the immigrant to the American.

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[1] 241 Fifth Avenue, New York City.

Mildred Noe Johnson.

◆

Memorandum for the Use of Local Authorities with Respect to the Provision and Arrangement of Houses for the Working Classes.—This memorandum by the Local Government Board (England) describing the types of dwellings that it considers most suitable for erection by municipalities which are building wage-earners' houses, supersedes a memorandum on the same subject issued in 1913.

The present memorandum differs only in detail from its predecessor. It again lays emphasis upon the desirability of the single-family house, stating that while there occasionally may be a demand for more limited accommodation for newly married couples or for aged persons without a family, this may be met by providing two-story houses consisting of two self-contained dwellings (flats) in each. "It would seem desirable to avoid the erection of blocks of buildings containing a series of tenements."

When England first began its municipal housing nearly every city erected one or two "model" tenement houses or multiple dwellings. While these could be and were sanitary, the social results were so unsatisfactory that the tendency against this type of dwelling has constantly increased despite all the plausible arguments on the score of economy of construction.

The memorandum contains recommendations as to "Standard of Construction," "Class of Persons for Whom Accommodation Is to Be Provided," "Selection of Site," "Number of Buildings and Arrangement of Streets and Buildings on the Site" ("overcrowding of houses on a site should be avoided." "On the basis of twelve houses to the acre, etc.") "Accommodations to Be Provided and Arrangement of Interior and Outbuildings," "Materials," "Plans," etc.

Following the text are plans of a number of houses illustrating the types recommended. These are interesting to an American because of the great care taken to remove the water closet from direct connection with the house, instead of taking it into the bosom of the family as we do, while the bath tub is placed in the kitchen or scullery.

John Ihlder.

◆

Report of the Royal Commission on the Housing of the Industrial Population of Scotland, Rural and Urban.—This large volume is of value to Americans chiefly because, by showing how thoroughly the people of Great Britain are studying their housing problem, it reminds us how superficially we have studied ours. There is nothing dealing with American conditions comparable with this report or with others issued in Great Britain during recent years, notably that entitled "The Land," issued in 1914 by a committee appointed by the Chancellor of the Exchequer.

Nothing short of the titles of all its thirty-five chapters would give an adequate conception of the scope of the commission's report. It begins with an outline which presents the subject as clearly as one so complicated can be presented, deals with the shortage of houses, existing statutory powers in regard to housing, the actual conditions in cities, burghs and rural areas, the merits and demerits of the tenement house type, the one-room house, overcrowding, lodging houses, housing of migratory and seasonal workers, land tenure, lease hold tenure, acquisition of land, building and copartnership societies, town planning and transit, bad housing as a factor in industrial unrest, etc.

Yet, while this report is of value to us chiefly because it indicates how little we know about ourselves, it is of more positive value because many of the subjects it discusses are ones that to-day claim our attention. Admitting that we must constantly make allowance for the fact that the population it deals with is homogeneous to a degree we can scarcely imagine, that the conditions it deals with have a history which began before many of our cities were founded, yet the evidence presented often is relevant for us.

John Ihlder.

◆

Analysis of the Laws Affecting Municipal and County Finances and Taxation [in New Jersey].—The reform of the laws relating to municipal and county finance in New Jersey which has taken place in the last three years is gratifying to friends of good administration.

Chief among the new laws are those relating to the reform and standardization of budgetary procedure, to the codification of the general property tax law and the rearrangement of the tax calendar, to the introduction of a workable method of tax sales, to the limitation and standardization of municipal and county borrowing, to the management of sinking funds, and to central control of local finance and accounting by means of the newly-created state department of municipal accounts. These changes have been from complexity toward simplicity, from heterogeneity toward uniformity, and are generally in accord with the canons of sound fiscal policy. The present handbook, compiled by the man who has taken the leading part in drafting these laws and securing their adoption, is a useful exposition both of their purposes and their content. It should be of especial service to municipal and county officials of New Jersey, but may be studied with profit by all interested in the problems of local finance.

Mr. Pierson's method of exposition is to give a synopsis of each law, section by section, preceded by a statement of its purpose. The exposition is generally satisfactory, although in a few cases the meaning is not clear without reference to the laws themselves. The several sections are well annotated, and useful comments are interspersed. The statement of the state commissioner of municipal accounts that "the construction placed on the several statutes with which this department is directly concerned is the same as that used by the department" (p. 4) adds to the value and authority of the work. A useful feature is the presentation of a calendar of the fiscal year (pp. 8–15). There is a good index.

These recent steps toward better financial methods in the municipalities and counties of New Jersey serve to show what can be done by careful study, education and propaganda. They are an encouragement to further progress, for which none would deny that there is ample room. So far as taxation is concerned, there remain the trite and venerable vices of the general property tax , and the inequities of the gross receipts and poll taxes. Speaker Pierson states that in the revision of the tax act the changes were confined to a rearrangement of the tax calendar and the bringing together "under one comprehensive statute" of the law of the general property tax with its amendments and supplements, and that "the policy of the general property tax was not changed in any material way" (P. 43). In addition to the need for tax reform may be mentioned the need for reforming the existing chaos of classification of municipalities and the statutes relating to them. The movement for this important reform has not yet reached its goal.

Arthur N. Young.

Princeton, N. J.

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Municipal Electric Light and Power Plants.[1]—In this monograph Mr. Thompson, secretary of the public ownership league, summarizes investigations or data that have appeared in the reports of the Massachusetts and Wisconsin railroad commissions, the *Municipal Journal*, the Hydro Electric Commission of Ontario, Canada, the Texas and Minnesota University Bulletins, Nebraska Legislative Reference Bureau, etc. Several of these reports were written by men prominently identified with the construction or operation of the plants and are most interesting and encouraging to believers in municipal ownership. The volume brings together, in a very convenient way, the substance of various reports and is an excellent introduction to the more detailed and critical reports that the league hopes to publish.

It is easy to criticise some of the methods used in these tabulations. For example, the arithmetical average of the maximum public lighting rates is compared with the maximum private lighting rates of all the cities from all over the country without regard to the difference in local conditions. The report also would be very much improved by beginning the summary of each separate investigation or report on a new page with a suitable heading.

This bulletin, with its large collection of instances of municipal plants, will prove exceedingly helpful to any student of the problem of municipal versus private ownership and operation. Further studies by the league will be awaited with much interest by the advocates and impartial students of this problem. It would be a great help if the public ownership league, or men of large means and independent ideas, could utilize the services of disinterested expert engineers and accountants in the careful analysis of typical public and private plants in every state in the Union.

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[1] Municipal Electric Light and Power Plants in the United States and Canada, by Carl D. Thompson, *Bulletin No. 10*, Public Ownership League of America, Chicago. 149 p. 50 cents.

The report does not bring out the great danger confronting experiments in municipal ownership to-day of paying too much for the property at the start, nor does it touch upon the poor accounting, lack of proper executive responsibility, etc., which have prevented the majority of the municipal plants from attaining the full success they should have had. But it does impress one with the progress which municipal ownership of electric light and power has already made in our smaller American cities as well as in Ontario and western Canada. A proposition which is so rapidly taking hold of the American and Canadian people, in spite of the opposition of most of the press and other organs of publicity, must have some merit. E. W. Bemis.

✤

The social unit organization of Cincinnati was recently denounced by Mayor Galvin as a "dangerous type of socialism . . . and but one step away from Bolshevism." In spite of the fact that Secretary Lane, of the Department of the Interior, is chairman of the organization, suspicion has long been directed toward it. In order to determine whether the officers and employes of the organization were using it for disseminating any political or economic doctrine, the Helen S. Trounstine Foundation authorized an inquiry. William J. Norton, formerly of Cincinnati and now secretary of the Detroit patriotic fund, was asked to make the investigation which he did last July. In this pamphlet[1] he presents his findings. So far as Mr. Norton could discover "there has been no change in the original purpose announced to the people of Cincinnati and there has been no use made of the organization for the promotion of Socialism or any other political or economic theory." "It must be patent to any observer," says Mr. Norton, "that, although we have in all this a distinct departure from old time methods of organization and administration, we have nothing that can be called socialistic."

✤

Milwaukee's socialist mayor presents, in an unconventional little pamphlet of six pages, an "Annual review of the year 1918," with the title: "Movement forward of city ringing smash upon heads of professional knockers." "Mayor Hoan, the headline writer says, "tells with delight of wonderful strides taken by Milwaukee despite pessimism of those who claimed the metropolis would be handicapped by socialistic rule." A "bigger, better and brighter Milwaukee" is promised if the city can secure needed legislation, particularly laws authorizing the purchase of street railways and electric power, properties which the mayor thinks can be operated more efficiently by the city and paid for out of revenues.

✤

Reconstruction and Citizenship is the title of the first of the after-the-war information series published by the University of North Carolina (Chapel Hill). It is an interesting and suggestive discussion of the relation of the University to these problems.

[1] "The social unit organization of Cincinnati," by William J. Norton. 187 p. (Studies from the Helen S. Trounstine Foundation, vol. 1, no. 5, Feb. 1, 1919.)

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

The Secretary's Retirement.—Lawson Purdy, Esq., President, National Municipal League, 105 East 22nd Street, New York City. *My dear Mr. Purdy:*

On May 28th next I shall have completed twenty-five years of service as secretary of the National Municipal League. Elected at the first meeting held in New York City, I have served continuously ever since. During this period the movement for higher municipal standards and democratic city government has developed to a point where a larger share of my time and attention is required than my other interests will permit me to give. I am therefore reluctantly forced to the conclusion that I must retire, so I hereby give notice that I shall not be a candidate for re-election to my present positition.

I am not unmindful of all that this means in the severance of ties of a quarter of a century, but the work has become such that it must be regarded as calling for the time and efforts of one who may be regarded as professionally equipped and who will look upon it as his sole life work. This I cannot afford to do.

In taking this action it is not necessary for me to say that I shall not be giving up my interest in this work which is now more vitally important than ever, but simply pass on its active management to one who will be able to give it his undivided attention. It may sever my official relations with you and our colleagues; it cannot change my affection and respect for those who have borne the burdens of the days during that period of our history in which the National Municipal League has become a factor of no mean proportions in redeeming American municipal government from the indictment under which it rested and from which in many places it has not yet been relieved.

Yours faithfully,

Clinton Rogers Woodruff.

April, 17, 1919.

◆

Seattle's Municipal Traction Lines.—The case of *Twitchell* v. *Seattle*[1] passed upon the validity of the recent purchase of the traction lines. The state statutes provide for the issuance of bonds to purchase, acquire or construct a public utility without submission of the question to the voters, in case no general indebtedness is to be incurred. Whenever a council is authorized to and does make such a purchase without submitting the question to the voters, it has power by statute "to create a special fund or funds for the sole purpose of defraying the cost of such public utility . . . into which special fund or funds the common council . . . may obligate and bind the city or town to set aside and pay a fixed proportion of the gross revenue of such public utility or any fixed amount out of and not exceeding a fixed proportion of such revenues or a fixed amount without regard to any fixed proportion . . . but such bonds or warrants and the interest thereon shall be payable only out of such special fund or funds." The city council passed an ordinance providing for the payment into the special fund of sufficient of the gross revenues to pay the interest and principal of the $15,000,000. This ordinance provides "said bonds shall be an obligation only against the special fund created and established in section five of this ordinance." The bond issued states on it that it is payable "solely out of the special fund of the city of Seattle, known as the municipal street railway bond fund, 1919."

The contention of those attacking this scheme was that the purchase would create a general debt which would require the sanction of the voters. The argument was based upon the following facts: The ordinance providing for the payment from the gross revenues into this special fund did not specifically reserve any fixed amount for maintenance and operation. Obviously if the gross income were not sufficient to pay the interest and principal of the bonds as provided, plus the cost of maintenance and operation, either the labor and material bills could not be paid or the general fund would have to make good the deficit, for it is specifically provided in the ordinance that the "semiannual payments of interest and such annual payments of principal . . . constitute a charge upon such gross revenues superior to all other charges whatsoever, including charges for maintenance and operation, even though the balance of such gross receipts thereafter remaining may be insufficient to pay the cost of maintaining and operating said system and said additions and betterments thereto and extensions thereof." Now, the statute stipulated that in creating the special fund the council should "have due regard to the cost of operation and maintenance of the plant or system as constructed or added to and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged." In compliance with the letter of this section of the statute an ordinance was passed reciting "that the gross revenues to be derived from the operation of the municipal street railway system . . . at the rates of transportation charged and to be charged upon the entire system will be sufficient in the judgment of the council and of the corporate authorities of the city to meet all expenses of operation and maintenance . . . and to provide the proportions or parts of revenues previously pledged as a fund for the payment of bonds . . . with interest thereon, heretofore made payable out of the revenues of the municipal street railway system, and to permit the setting aside in a special fund out of the gross revenues of the entire system amounts sufficient to pay the interest on the bonds hereby authorized to be issued as such interest becomes due and payable and to pay and redeem all such bonds at maturity."

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[1] Wash. Decisions, 502.

There was no showing made by the opponents that the revenues would not be sufficient, and the court held that the presumption was in favor of the recital of the ordinance. The court said that the statute provides that the council shall exercise its judgment and "in exercising that judgment the city council exercises an alleged power over which the courts have no control." The court also said that the statutes and decisions of our state recognize "a marked distinction between the creation of a debt and the creation of a condition upon which a debt might arise" and that the case at bar fell within the latter class and that, therefore, the proposed plan did not create any general indebtedness requiring the sanction of the qualified voters.

Judges Chadwick and Mackintosh entered a vigorous dissenting opinion. They maintained that the statute requiring the council to "have due regard to the cost and operation and maintenance of the plant or system" meant that the council must reserve a sum sufficient in its judgment to defray the cost of maintenance and operation, which had not been done in this case; that the law required that the judgment of the council be expressed in amounts or in proportions and that a mere general expression of opinion was not sufficient.

> It is but a subterfuge and a pretense and should not be sanctioned by the courts. The legal effect of the majority opinion is that all of the gross revenues are pledged to the payment of the purchase price; that if the one who renders labor or service as a motorman, conductor or about the tracks and barns of a railway system is to be paid he may be paid out of the general revenues; that, instead of taking his pay in a warrant which is a first charge upon the gross revenues as the law contemplates, he may not, if the gross revenues are insufficient to meet the maturing bonds and interest, have his pay out of the earnings of the utility at all, but must take his chances with a general fund warrant which may be subject to discount and unless sanctioned by subsequent decree of this court will be of doubtful validity.
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> The ordinances but clumsily conceal the reserved purpose of the council "to maintain and operate" the street car system at the expense of the general fund, either by a system of loans from the general fund or by levying a direct tax for that purpose.
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> By the employment of an indirect method dressed for the occasion in a cloak of words the law is circumvented and the people whose right of participation and self determination was so carefully safeguarded, have been denied the sovereign right of the franchise.

Fred W. Catlett.

✣

North Dakota's Central State Bank.—The new central state-owned bank for North Dakota, provided for by the 1919 legislative session, is attracting favorable comment from many unexpected sources. The greater part of the 700 privately owned state banks are expected to join the bank as members, and to use it for the deposit of their reserves and a general clearing house. The facilities which the new bank will offer in this direction will be better than what are now offered by the distant banks in the Twin Cities and Chicago. Another thing which will attract state banks is the fact that the central state bank is made the legal depository for all public funds and, when a state bank has joined, the central bank will re-deposit most at least of the local public funds with it. The bank will do for the state banks what the central federal reserve banks now do for the national banks.

The state-owned central bank is expected to open soon, because it is not necessary for it to sell the $2,000,000 of bonds to provide stock to begin business. It is only necessary to have the bonds ready for sale. The present state examiner has been appointed manager of the bank and a suitable building has been leased in Bismarck, the capital.

One of the interesting parts in the bank bill is that providing for the use of state bonds up to the amount of $10,000,000 for the purpose of lending money to North Dakota farmers at cost on first mortgage security, or on warehouse receipts for grain.

A new organization, known as the independent voters' association, has brought together all the elements opposed to the non-partisan league and it is attempting to force a referendum on the bank bill and other legislation carrying out the league program; but it is generally conceded that they have no hope of accomplishing their purpose of delaying the carrying out of the farmers' program. The move is more in the nature of keeping up the fight with the intention of ultimately tiring the people out, and so overthrowing the non-partisan league rule.

The small cities of North Dakota are put in a very difficult situation by this referendum. Practically all of them have entered into the brisk campaign to secure one or more of the new state-owned industries provided for in the new legislation. If there are to be state industries, each town would like to be preferred for the location. At the same time, if a large number of their citizens sign the petitions put out by the independent voters' association for the referendum against the league laws, the city will have little reason to expect the state government to pick it out as a location. The referendum, if it is called, will be held not later than the early part of July. A. B. Gilbert.

◆

Revived Interest in English Municipal Affairs.—The *Municipal Journal* of London reports that there was a remarkable lack of public interest in municipal problems and local government generally, not only throughout the war period but through the years immediately preceding. The reports from various parts of the country indicate, however, that this situation is changing. To-day the public mind is concerned with other vast and important work of local authorities: "An interesting pamphlet has recently been issued by the local improvement group committee of the Liverpool council of voluntary aid, putting before the citizens of Liverpool some very wide-felt desires with regard to the well-being of the city, and urging them to take advantage of the present opportunity to unite on the common basis of goodwill, so as to assist in bringing about practical measures of social reconstruction. At Birmingham also the local citizens' committee is actively at work again, and is proposing to combine with the city civic recreation league which has carried on valuable work among the young people of Birmingham. From Manchester comes news of the formation of an important municipal progressive union to unite citizens in the work of improving and helping the city. All these indications of revived and increased interest in municipal affairs are excellent, and every large city and town ought to have a citizens' committee to help to create and maintain interest and enthusiasm in the work of its local municipal authorities.

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Cities Operating Two-Platoon System.

Omaha, Nebraska—July, 1907.
Kansas City, Missouri—July 21, 1912.
Yonkers, New York—July 5, 1913.
Seattle, Washington—April 2, 1913.
Butte, Montana—February 4, 1913.
Great Falls, Montana—May 1, 1913.
Billings, Montana—September 1, 1914.
Berkeley, California—February 10, 1914.
Kansas City, Kansas—January 1, 1914.
Pueblo, Colorado—January 1, 1914.
Colorado Springs, Colorado—June 1, 1915.
Lincoln, Nebraska—December 14, 1915.
Anaconda, Montana—November 15, 1915.
(Discontinued December 25, 1915, and reinstated March 1, 1917.)
Topeka, Kansas—January 1, 1915.
Los Angeles, California—August 5, 1915.
Pittsburgh, Pennsylvania—July 1, 1916. (15 yrs. in one Co.)
Paterson, New Jersey—July 1, 1916.
Atlantic City, New Jersey—September 1, 1916.
Buffalo, New York—July 1, 1916.
Superior, Wisconsin—January 1, 1916.
Chicago, Illinois—April 1, 1917.

Bayonne, New Jersey—August 24, 1917.
Newark, New Jersey—August 16, 1917.
Minneapolis, Minnesota—January 1, 1917.
(Discontinued February 17 to March 2, 1917.)
Duluth, Minnesota—January 1, 1917.
Hibbing, Minnesota—Granted June 12, 1917.
Hamilton, Ohio—June 1, 1917.
Helena, Montana—1917.
Scranton, Pensylvania—February 2, 1917.
St. Paul, Minnesota—1918.
Philadelphia, Pennsylvania—1918.
San Francisco, California—1918.
Missoula, Montana—As soon as possible; may be in operation now.
Youngstown, Ohio—Operated for a time; discontinued for lack of funds. May be in operation.
South Hampton, Massachusetts—Some kind of system.
Everett, Washington—1916.
Tacoma, Washington—Granted September 4, 1917.
Elizabeth, New Jersey—Awaiting funds.
Orange, New Jersey—Awaiting funds.
Jersey City, New Jersey—Awaiting funds.
A part of New York City—Awaiting funds.

Dorsey W. Hyde.

*

Newark To Be Surveyed.—The Newark city commission has appropriated $5,000, and an additional $5,000 is being underwritten by the members to provide for a survey of the city's activities by the New York bureau of municipal research. The Russell Sage foundation has just completed an investigation of the local system affecting charities and correction. This was done under the auspices of the mayor, the other surveys being promoted by the board of trade.

*

A County League of Municipalities has been organized in St. Louis county, Missouri, to promote the various interests of the local bodies and of the county by acting *as a body* in matters in which they have common interests. Its meetings, by bringing the mayors together, have created a mutual understanding between executive officers and enabled them to get information that has aided them in solving problems presented to them. By bringing the attorneys together there is being brought about a more uniform understanding of the statutes applicable to the various cities and of the methods of handling such problems as street oiling, street making and street repairing, each of which involves or may involve special tax bills. The engineers are learning from one another how to handle, approach and make the calculations pertaining thereto and to handle questions of rates and rate-making for various public utilities. The results of the deliberation of the league through these three classes of officials are said to have produced a good effect upon the boards of aldermen and upon the citizens, and the good ideas of this locality are given to all in order that all may benefit thereby.

*

A Supreme Court Investigation of County Government.—"A supreme court commission is at the present time conducting an investigation into the financial management of the county government of Essex county, New Jersey, as the result of a petition submitted to Chief Justice Gummere by the federation of improvement associations of this city. It is a sequel to the indictment of the board of freeholders a year ago in consequence of the freeze-up of the county hospital for the insane. That, it may be recalled, was in consequence of the total collapse of the boiler plant in bitter cold weather. The board bungled terribly in the business of changing the boilers. The investigation is in charge of former State Senator J. Henry Bacheller and Jacob L. Newman, former prosecutor of this county. They are getting some results in the exposure of rotten business methods, wasteful spending, etc., but no positive evidence of actual crookedness has yet been uncovered, and probably none will be."

*

City Manager Notes.—*Bristol, Virginia*, has had an interesting experience in the adoption of the city manager form of government. The first returns indicated that under the peculiar laws of Virginia the number of votes cast for it, although a greater majority, was insufficient. Those who were interested in the movement took the matter into court, had the votes canvassed and on a judicial review it was found a sufficient number had been cast and the court thereupon declared that the city had adopted the city manager form of government.

The city manager form has triumphed again in the elections at *Goldboro, North Carolina*. The mayor, who has not been in harmony with the idea, was defeated by a friend of the system. Lionel Weil, who has been an active advocate of the system from the beginning, was a candidate for re-election to the council and was triumphantly re-elected.

In *Wichita, Kansas*, an effort was made to undermine the city manager plan by defeating the old board of commissioners, who were candidates for re-election. Four of them, however, were re-elected and the fifth man chosen to succeed the retiring commissioner, who goes to Topeka as labor commissioner, was friendly to the system, so for the present the effort to handicap the city manager has fallen through. L. R. Ash, who held that position, may shortly retire to resume practice in Kansas City. When he went to Wichita it was with the understanding that he should be allowed to return to his office whenever circumstances seemed to demand him and those circumstances which he foresaw are likely shortly to arise.

Gaylord C. Cummins, formerly city manager of Grand Rapids, of Jackson, Michigan, has resigned the position which he took up after leaving city work. He has not become a consultant in municipal and utility problems with headquarters at the Institute for Public Service, 51 Chambers street, New York. *Henry M. Waite*, the first city manager of Dayton, has associated himself with the Lord Construction Company. *Wisconsin* has passed a state wide city manager law making it possible for the cities of that state to adopt the city manager plan by simple referendum procedure. *North Dakota* passed a similar law in March. *Alcoa*, Tennessee, a community built by the Aluminum Company of America and the Babcock Lumber Company has been granted a commission-manager charter by the Tennessee Assembly to go into effect July 1.

II. POLITICS

Detroit Takes Steps in Reorganizing Its Municipal Courts.—As a result of one of the hardest legislative battles in which the Detroit civic league ever participated, a court reform bill has been passed. It merges the recorders and police courts by abolishing in the main the present police court, lodging its jurisdiction in a recorders court with seven judges, an increase of two. Modern methods of administration have been incorporated and the whole measure goes to a referendum vote either in the election in the autumn of 1920 or in some special election which may be held in the meantime. The executive secretary of the civic league feels that the measure will put Detroit in the forefront as a city with an absolutely modern municipal court. Herbert Harley, the secretary of the American Judicature Society, thinks there is reason for enthusiasm over what he calls "Detroit's hard won success."

III. JUDICIAL DECISIONS

The Emergency Clause in Seattle's Referendum Law.—In the decision in the case of *Arnold* v. *Carroll* (6 Wash. Decisions, 136), the supreme court of Washington passed upon an interesting point in municipal government. The Seattle charter provides for the referendum and also that the referendum is not applicable to ordinances "necessary for the immediate preservation of the public peace, health or safety." As to when such emergency exists, the charter provides that the council shall declare such emergency and necessity "and the facts creating the same shall be stated in one section of the bill and it shall not become an ordinance unless on its final passage by the city council at least three fourths of all the members elected vote in its favor," "and it shall have been approved by the mayor." An emergency ordinance takes effect immediately; a non-emergency ordinance cannot take effect within less than thirty days.

In the case before the court the ordinance was passed, vetoed by the mayor and submitted to referendum. Three members of the city council invoked the referendum in the first instance, but, later, petitions signed by voters were duly filed. The ordinance was a franchise ordinance and the city council did not declare an emergency to exist. The contention presented to the court was that an emergency did in fact exist; that the court should so declare and that, therefore, the referendum provision was not applicable. The court had, in a previous case, decided that the mere declaration by a legislative body that a question was emergent did not necessarily make it so, and that in a particular case the court might hold that the facts showed clearly that the measure was not emergent. If a court did not have such power, a legislative body might by a mere declaration of emergency deprive the people of the power of referendum. The court said that "to adjudge such an act to be emergent would seem to amount to the court enacting into it something which the enacting body did not enact into it." "To declare judicially such an act emergent, when the enacting body has not done so, would, it seems to us, be assuming quite a different power from that of judicially determining from the inherent nature of an act itself that it is not emergent." The court went even further in this case and said that the special provision relating to franchise ordinances giving three councilmen the power to invoke the referendum thereon made it impossible for the council, by any declaration of emergency, to deprive the three or more councilmen of this power.

Fred W. Catlett.

IV. MISCELLANEOUS

Tribute Trees in Philadelphia.—In honor of the men who served during the war the Civic club of Philadelphia, through its committee on municipal art and tree planting, has raised a fund sufficient to plant a series of tribute trees along the parkway. These are being planted under the direction of the park commission which has jurisdiction over the boulevard.

*

George E. Hooker, who was secretary of the City club of Chicago since its formation from 1903 until 1908 and who has been serving as civic secretary ever since, has resigned to give the most of his attention and efforts to the activities of the newly organized labor party in Chicago with which he identified himself when it was organized last November. His letter to the president of the club follows:

> I beg to hand you herewith my resignation as civic secretary, to take effect if convenient about the middle of this month. I contemplated this step nearly two years ago, but war occupations interruped my consideration of the subject. I have for a considerable period found myself out of sympathy with the administration of the club. This step does not mean my withdrawal from membership in the club, where so many of my friends are and where such a multitude of my memories center.
>
> I wish, in this connection, to express my deep appreciation of the generous permission of the directors for me to devote a large part of my time during the last year and three quarters to exemption board duties. I wish also to thank you most warmly for your personal kindness not alone since you have been president but in your coöperation during my entire fifteen years of club service.

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Alexander P. Woolridge is retiring as mayor of Austin, Texas, after ten years of service. The commission in this capital city of the state has an uninterrupted record of faithful and efficient service, no small part of which is due to the devotion and ability of Mayor Woolridge, who, in addition to being a capable administrator, has been a careful student of municipal problems in all their phases. He has been a staunch friend and supporter of the National Municipal League and has sought so far as it was possible to do so to embody its views and aspirations in his local work.

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VIEWS AND REVIEWS

I

BE it remembered in Gilbert's classic phrase that

> "The House of Lords throughout the war
> Did nothing in particular
> And did it very well."

So with our state legislatures in both the war and the reconstruction periods. As to the war period they have an alibi, for most of them were not in session during those eighteen months. That they were not generally summoned in special sessions to deal with war problems is a severe reflection on their capacity. Average Americans were thankful that legislatures were not on hand to come blundering into the problems, and proceeded to organize anew on simple common-sense lines in such communal efforts as state councils of defense which with all their shortcomings and hastiness of construction were usually better manned, quicker and more expert than the state governments. If the typical legislature marched in a victory parade to claim its share of public gratitude, the legend on its banner should be "We kept out of the way!"

II

BUT during the last few months, the legislatures have all been in session. They talked much of "reconstruction" and wondered much as to what they should do. The civic leaders were caught unprepared and could not tell them. The federal government had almost no ideas for them.

There were, in many of the states, three visible prospective problems, shortage of employment, shortage of housing and shortage of state and municipal income. Federal researches had disclosed that even big programs of public works could afford relatively little relief to unemployment anyway and failure to launch such programs in the face of taxation difficulties does not merit censure. The housing reformers talked vaguely of state loans on Canadian or English lines but the ideas were too novel. The various solutions of revenue and budget problems were the chief output bearing the impress of reconstruction.

Otherwise it is the usual biennial grist of legislation with the usual sprinkling of progressive items.

III

IN obtaining Mr. Willoughby's authoritative exposition of the Good national budget bill for this issue, we break a precedent of this REVIEW and touch on national matters; but budgets as a feature of our state and municipal finances are sure to be profoundly and promptly influenced by the federal example and so important an event as the serious advancement of this well-considered measure cannot be excluded from our pages.

Back of the Good bill are the competent studies of the Institute of Government Research, an organization with offices in Washington, which has worked quietly for several years toward this objective. Its further strategy will undoubtedly be to follow up the new budget bureau and help it gradually to untangle the old wild-grape-vine lines of the federal administrative establishment and then by degrees rid it of waste and duplication. Every such step will tend to remove the departments from direct irresponsible congressional committee management and restore the president to the position of real chief executive.

IV

By way of contrast to the orderly processes of finance contemplated by the Good bill, turn to this:

Scene: A high handsome carven chamber in the capitol last summer.

Present: Two members of the appropriations committee of the house—only two—Swager Sherley and Uncle Joe Cannon. Also, on the opposite side of the table, the chief of a bureau with sundry technical subordinates.

The latter have heard that an urgent deficiency bill is in the making and have hastily compiled a mass of data supporting their plea for an appropriation of $100,000,000 to their bureau. Their plea for the hundred million is complicated by no sense of wonderment as to where the money will come from; on the other hand, the two congressmen will never be blamed if the war program breaks down at this point for lack of funds.

The bureau chief notices that the "committee" takes no interest in his written data and he abandons it in favor of jollity over cigars. He and his fellow suppliants laugh long and loud at the congressmen's jokes. It is a reaction of men, not facts. At the end the two congressmen close the interview with polite and indefinite phrases and Joe Cannon slowly swinging his feet down from the table top and rising with his cigar uptilted steeply in his mouth, fingers the edge of a vast tabulated chart which comprises a condensed summary of the data and remarks "As for all this stuff, I know no more about what's in it than I do about what's in my record with the recording angel" (Laughter). Adjournment.

The data goes into the stenographic record of the hearing and will some day emerge in unedited pale type. No one in congress will ever read it. At a later committee meeting, somebody who cannot possibly know anything about it surmises that the demand has undoubtedly been padded, and the $100,000,000 accordingly is cut to $40,000,000 and passed by the house without debate. And thus two congressmen—experienced and able men to be sure, but knowing nothing of the merits of the case—make the decision the far-flung results of which will be attributed to the president,—who, poor man, plays no part in the proceeding!

V

The coupon at the bottom of our second page was there in the May issue and in the two weeks following publication just one reader responded.

We won't grow much at that rate!

VI

We welcome to the staff of the National Municipal Review a new assistant, Mr. Russell Ramsay, formerly of the National Child Welfare Federation.

THE OLD ORDER CHANGETH

The Utah legislature has passed a constitutional amendment giving cities the right to draft and adopt their own charters, operate public utilities and practice excess condemnation.

* * *

New commission-manager towns:
Ranger, Texas, population 6,000;
Lufkin, Texas, population 5,000;
Salinas, California, population 4,000.

* * *

The United States Supreme Court in the case of *Columbus Railway, Power and Light Company, appellant* v. *The City of Columbus, et al.*, has rendered a decision to the effect that a street railway franchise is a binding contract, and that unprofitableness is no excuse for non-execution.

* * *

Nine states adopted the executive budget principle at the recent legislative sessions, bringing the total to twenty-three. Texas and Alabama were added to the seven states having administrative budget boards.

* * *

Pennsylvania has an official commission created to prepare the ground for the projected constitutional convention.

* * *

By virtue of acts of the legislatures, Texas and California will vote in November on the question of holding a Constitutional Convention.

* * *

Campaigns for the city-manager plan are on foot in Alexandria, Lynchburg and Newport News, Va., Saginaw and Muskegon, Mich., and Sallisaw, Okla.

AN AMERICAN CITY MANAGER ON THE RHINE

BY COL. H. M. WAITE

Former City Manager of Dayton, Ohio

I

SOON after the headquarters of the Third Army had moved to Luxembourg the German high command requested that a commission be sent to Coblenz to meet with them and arrange for the occupancy of the bridgehead by our army.

As a result of this request Colonels J. C. Rhea, George R. Spalding, C. O. Sherrill, H. C. Vores, Lt. Hugh Mackay and I were ordered forward to Coblenz on December 4.

The German army had not left Coblenz and for two days we watched them cross the Rhine. It was done in good order and under good discipline. The units were small and transportation very limited. The livestock was in poor condition; many horse-drawn vehicles had Russian ponies. There was a marked shortage of motor trucks—all they had in use had steel tires.

On the night of the 4th we met representatives from the German staff at the Coblenzerhof, which was being used by the Germans as a headquarters. We were, however, given very comfortable rooms. The food was miserable. We all noticed the fact that we were as hungry an hour after a meal as we were before having it. The coffee was undrinkable, brown, hot and worse than tasteless. They told us it was made from beets. We doubted it—why spoil the beets? The German army coffee was better; it was made from roasted rye.

II

On the morning of December 5, we met with the Öberburgomeister of Coblenz. He was intelligent, forceful and had the local situation well in hand. He spoke openly of the revolution. He was much concerned over what would happen after the German troops left Coblenz and before our troops arrived. This point was later taken up by the officers of the German staff, resulting in their requesting us to have a thousand men sent up ahead of our army to act as guards until the 11th, which was the date set by the armistice for our army to enter Coblenz.

On Sunday morning, December 8, we went to the railroad yards to see the first troops arrive—the requested one thousand men.

We were a bit nervous; we wanted to make a lasting impression; we knew they would.

There was quite a large delegation with us, including the German bridgehead commission and many other officers who had put on civilian clothes. The largest gallery, however, was peering out from the windows.

We realized the ordeal our men had been going through ever since the armistice; how they had been marching practically every day through rain and mud.

When the train pulled into the yard and stopped, not a man appeared. The commanding officer and some correspondents got off. The commanding officer reported immediately and was told the barracks for his men were all ready for them. The men then detrained in the best order I had ever seen any troops do it—every man in perfect military appearance, shoes clean, not a sign of any mud, and packs all neatly rolled! Their very appearance made us realize that they had not had much sleep on that night.

Then they swung down the street towards the barracks—never had our boys looked so good. There was no music, no flourish—they spelled BUSINESS in every step—in true American doughboy unconcern and independence.

I am proud to say, tears came to my eyes and my throat filled as they marched by. The very exemplification of a democratic army! An efficient army not born in militarism!

The real lesson to the German people was there—but did they see it? As I noticed their faces I felt some did.

III

One of the principal topics raised by the Germans, particularly by the Öberburgomeister of Coblenz and the Öber-prasident of the Rhenish Province, was food. They stated that cows were being killed as so much feed had been commandeered by the German army on its retreat. They were short of potatoes as many had to come from east side of the Rhine. The same was true of flour and grain. They were also concerned over the coal distribution.

There was a natural concern outside of any shortage of these commodities.

The distribution of all supplies had been ably handled during the war through governmental agencies, now broken down.

There were internal troubles beyond the occupied territory in all Germany. The governmental fabric had broken down.

In addition to all this, the terms of the armistice on transportation were very severe. At that time food, merchandise, manufactured products, or raw materials were not allowed to cross the Rhine either from or into the occupied territories. Every day light engines and cars were being turned over to the Allies by the German government in accordance with the armistice. The entire transportation systems of Germany, Luxembourg and Alsace-Lorraine were under an allied transportation commission composed of members from the English, French, Belgian and American armies. No trains could be run or passengers or freight moved without the authority of this commission which reported to Marshal Foch. Trains at this time were not allowed to run far up or down the Rhine between the territories occupied by the several Allies. Coal was moving in large quantities up the Rhine by barge but most of it was bound for Switzerland. It was only natural that the German municipal officials should feel some anxiety.

IV

We called upon them to furnish detailed statements, showing the supply of food and coal on hand in the occupied territory and what would be required. Our army, as it moved in, was called upon to furnish similar information.

The reports were interesting. Every town had some coal on hand. Greases were very scarce. Their soap was made from clay, colored, scented and an alkali to cut the dirt. Our mess sergeant traded two cakes of our soap for two chickens.

One morning while I was getting my hair trimmed in a German barber shop in Coblenz, a young German came in for a shave. I could watch him in my mirror. The barber rubbed something on his face that sounded like sandpaper. He was a Heidelburg man and never winced. He knew I was watching him.

When our army was placed we got reports on all the utilities.

Gradually the transportation limitations were reduced. All food stuff was allowed to come in from the east side of the Rhine as well as raw materials needed in the factories of the occupied territories. The restrictions, however, on anything from the occupied territory into the balance of Germany, were very strict. These movements could only be made by authority in each case from the railroad commission.

In the meantime, however, the restrictions caused us some trouble. In the investigation of the conditions at Coblenz, we found that some of the pumps in the water works were Diesel engines using an oil they obtained from near Frankfurt. The troubles we had trying to get that oil were tremendous. Some of the other pumps were on gas engines. Part of the city's supply of gas came from a plant at Neuwied, below Coblenz, and a part from the city's gas works. All were short of coal. Triers was also short of coal. We called on the French for coal from the Saar Valley for Triers and were told the Germans must supply it from German mines. The Germans told us the Saar Valley had always furnished all coal necessary for points in the vicinity of Triers. We finally told the governmental authorities at Coblenz that if necessary we would commandeer coal coming up the Rhine to protect the utilities. They seemed pleased, and we saw that they had figured this would take coal going to the territory occupied by the French south of us. We then informed them that the coal we commandeered would be coal consigned to German factories and plants.

V

We only transacted business with the governmental authorities we found in control, which were the old officialdom.

One of my first questions to the Öberburgomeister at Coblenz was concerning the police—how many there were in the city—how many were required—and who had the authority over them. I was much surprised to hear him reply that they were now all under him. I replied that I had presumed that they were all under the usual commission which was controlled from Berlin. His reply was a still greater surprise. He frankly stated that during the war the police were under the military, but during the revolution this authority broke down, and they had been put under him. While they often alluded to the revolution, they were usually very careful never to criticise anyone or anything.

At Triers the city owned the water works, street railway and electric light plant. The latter sold power to the two former. They had steam and hydro-electric plants. The hydro-plant was a very complete new installation and the supply of water was sufficient to supply all demands for from four to six months depending on the rainy season. The balance of the year they depended on the steam plants.

We asked how they made ends meet with war prices on coal? They replied simply that they raised the rates for electricity 50 per cent. When asked if such an arbitrary procedure did not arouse serious complaint from the citizens, the answer was "Oh, no—they know it is a good investment for the city and pays well."

The ease with which the municipal authorities issued effective orders was always a surprise. The order was issued, posted, people read it and then obeyed.(!!!)

Soon after our arrival in Coblenz, for example, the Öberburgomeister submitted to us an order he desired to put into effect as soon as German troops left. It closed all cafes at 9, kept all children under 12 off the streets after 6 and no group of over three persons could congregate after dark, and a few other things. By the terms of the armistice, we had no authority until our troops occupied Coblenz, and we so informed the burgomeister. It seemed that all he wanted to know was if we objected to the order. When we said "No," it was posted, read and obeyed.

The only thing that happened was the night before the order became effective when a large gathering sang German songs in front of our hotel until two or three in the morning. The "Wacht Am Rhine" was heard several times. I enjoyed it as they sang very well.

VI

We talked to a great many Germans about the future government. They seemed to be bewildered; no one had any intelligent idea as to what would be the outcome. No one thought there was any chance of any of the royal family being elected to the presidency. One man told me Prince Idelfritz was very popular. When asked why, he answered, "He was always with his troops as a colonel; he was with them in the trenches and led them"—I innocently stated "the Crown Prince did not." I saw a glitter in his eye as he grunted, "No." He also stated that Prince Max of Baden was very popular. I asked, "Enough so to overcome the socialist vote?" He answered, "Prince Max is very democratic." I then remarked, "Why is the royal family so unpopular—if Germany had won the Kaiser would have been a wonderful man in Germany!" His reply was a surprise, "Oh yes—but where was the end, power and more power?" and with a sly look at me, "Even you in America might have been under him."

It was interesting to try to get them to talk in terms of democratic government. One day, in conversation with a very intelligent German, a Ph.D. and a member of the soldiers' and workmen's council, I asked, "What is your theory of the necessity of a soldiers' and workmen's council?" He replied, "To protect the people from the government." "But," I said, "when you elect your own councils and assemblies it is then the people's government." "Oh!" he remarked, "you do not understand; the bureaucracy is very efficient—we cannot replace it now; we must use it, but it is all of the old régime." "True," I remarked, "but when you elect your own councils, your bureaucracy will be controlled by your own representatives and not by Berlin." It was useless, we would go round and round in a circle and come back to the same place and thought. He could not think in terms of democracy. It made me feel keenly that the German mind is a single track mind as illustrated by the story of a drummer for a flour mill asking a German where the spaghetti factory was. The German answered, "Spaghetti factory? I do not know." Soon the drummer heard someone running after him; it was the same German who breathlessly asked, "You mean the noodle factory?" "Yes," said the relieved drummer. "Well," said the German, "I don't know where that is either."

VII

Everyone feels that the German government is very complicated. However, after studying it and living with it, and realizing that it is all built on the theory of one central control, and that control in Berlin, it becomes more comprehensible. It is complicated, however, and I believe purposely so, in that there is a constant supervision and control of minor authorities by those above. This makes ultimate responsibility or authority at times difficult to fix.

Then there is that peculiar governmental distinction between affairs of general and of local interest. It is sometimes difficult to distinguish these interests in your own mind. This doubt, however, never seemed to interfere with the policy of the central government; for example, police matters were always considered by the old government as an affair of general interest. In affairs of general interest supervision and control are most strict, and that ultimate authority and responsibility are most difficult to fix.

In a small village the burgomeister may have police powers; his work, however, is supervised and controlled through various grades of officials until the central government itself is ultimately reached. Affairs of general interest are often placed in the hands of special officers; here again they are controlled by the central government. These special officers are professionals, or men who undergo special training to fit themselves for these special duties. Knowing German training it is easy to see how they are tied to the central government and its policies.

Affairs of local interest are usually those pertaining to local taxes, maintenance of charitable institutions, construction of local roads and carrying out agricultural improvements.

Even in affairs of local interest the control of the central government is apparent.

Take the government of a Province. It is divided into two distinct sets of officials, one for the affairs of general interest and one for the affairs of local interest. The general administration is managed by an Öberprasident, assisted by a provincial council or provinzialrat. The Öberprasident is a purely professional official, appointed by the central government at Berlin, a direct representative of the ministry. The provinzialrat consists of the Öberprasident as chairman, a second professional official appointed by the Prussian Minister of the Interior and five lay members elected by the Provinzial ausschuss or provincial committee. This latter committee has purely executive functions. It puts into force measures passed by the Provincial Assembly and its members, seven to fourteen, are elected by the Provincial Assembly called the Provinziallandtag. The Provincial Assembly, in turn, is composed of lay members elected by the Assemblies of the Kreis, called the Kreistags. This elective body has three principal functions in the Kreis or circle: First, it makes regulations covering the administration of local affairs in the Kreis. Second, it votes the circle or Kreis budget and provides for the levy of local taxes. It is forbidden, however, to raise a sum exceeding 50 per cent of the state tax or to contract any loans without higher authority. Third, it chooses the elective officials for the circle, district or province.

It is interesting to note, however, in addition to the limitation of the powers of the Kreistag, that its members were elected under a system that placed most of the power in the hands of the rich—well to do classes.

It is plain to see that this old system had the doors locked at both ends!

VIII

After this experience with the German government, it is amusing to hear people say that our city manager form of government is like the German municipal governments. In Germany the people have had nothing to say about their government. It has been absolutely controlled from Berlin. Our city manager form uses the theory of trained men for particular functions of government, but they are always under the control of the popular representatives. The Öberburgomeister form is autocratic. The city manager form is democratic.

THE HEIRS OF THE COUNCILS OF DEFENSE

BY WILLITS POLLOCK
Milwaukee County Council of Defense

The War Emergency Bodies are fast being demobilized, their programs abandoned, their trained and volunteer workers going back to other pursuits. Who will take up their burden? :: :: ::

It is a fundamental law of our much maligned "capitalistic" system of economy that when a man passes on to the "happy hunting grounds" wherein the dollar and what it typifies are absent, that there must be heirs of some sort or other upon whom what is valuable of these earthly possessions devolve. So it is with institutions.

A remarkably interesting group of organizations have just completed or are about to complete their earthly missions and are passing on into that state of innocuous desuetude known colloquially as demobilization. It had to come, this demobilization of the councils of defense, war boards, war chests, and defense leagues for they were typically war emergency bodies, but far beyond the immediate service which they have rendered they have left a heritage in the shape of programs and new ideals of service which augur well for the future. The emergency war organizations,—national, state, and local—have performed two great services:

First, they have marked out a vast twilight zone of action wherein associations and the government can coöperate for the purpose of civic and industrial advancement.

Second, they have demonstrated that there is in the vast majority of Americans a real desire not only to secure good government but to participate personally in the act of governing.

INCENTIVE TO ORGANIZE UNIVERSAL

It has been the writer's privilege to visit and become familiar with the war organizations or councils of defense in some fifteen of the largest communities in America. Their success and the type of men which they drew to them is universally a sincere tribute to the genius of the American people for self organization. The councils of defense, both community and the state, have followed widely varying plans of organization. In some cases public safety committees with drastic powers and practically unlimited financial resources have been created. In many instances county or community councils were mere voluntary associations. In others, they were appointed by the mayor, and in certain instances, such as obtained in Wisconsin, they are direct legal creations of the state legislature, acting under the supervision of the state council.

THE DEFENSE COUNCILS AND THEIR ASSOCIATES

An interesting explanation of the defense council system and the way it developed was given recently by Mr. R. N. McMynn, chairman of the war finance speaker's bureau for Milwaukee county. He stated that originally, as all of us understood it, the council of national defense, the state councils, and the county councils were each to become the actual war boards for their districts,—that is, the national council, composing as it did members of the cabinet and the representatives of the principal business and professional interests of the country, would unquestionably in its membership have the carrying out of all important war policies and would logically use the state and local war boards with appropriate special representatives to handle these policies locally. In some way or other, however, whether through inability of the council of national defense to command the respect of its members and to provide a uniform scheme throughout the country, this plan did not materialize. The Liberty Loan organization was created in every district practically separate from the councils of defense; the war savings organization was handled in a like manner. Commercial economy movements were handled through separate bodies. The food administration alone was content to attempt a unification between the councils of defense and its own local representatives. The program and organization of the councils of defense, after these successive amputations, might be said to have resembled easily a large cheese from which innumerable holes had been gouged out. With all of these changes, however, there remained with the defense councils an extremely vital function which many of them realized and lived up to, namely, that of uniting and harmonizing the various interests and organizations both permanent and those created for the duration of the war in the task of preventing duplications and seeing that the best energies of the particular district were directed toward the common task.

ANALYSIS OF COMMUNITY PROBLEMS

The vital problems confronting each community were three:

1. To take care in all possible ways of the civilian population and those remaining at home.
2. To operate the productive machinery at as close to 100 per cent efficiency, so far as the war was concerned, as possible.
3. To furnish to the government all possible quotas of men, money and materials.

The formula is simple but it indicated that each community must take a healthy concern in conditions in its industries, wastes in its commercial establishments, feeding its people, caring for the health problem, and in general making of itself a better community.

WAR FINANCE

The war finance problem in practically every community resolved itself into three elements:

1. Liberty loans.
2. War savings.
3. War and charitable donations.

The first two of these represent the investment feature. The third, charity. The war savings plan will, of course, be continued into the future as an educational proposition, particularly among younger citizens. Already a number of cities are discussing the carrying on of some form of the Liberty Loan organization to place conservative securities in the hands of the small buyer and industrial worker as a thrift and savings movement. In some cities the plan is to have their municipal bonds issued in small denominations and sold as a civic enterprise. In other cases, conservative public utility and farm loan bonds have been considered.

It is, however, the donation side of these war finance activities which presents one of the most interesting fields for the future. One of the really great developments of the war was the so-called war chest or community fund. A dozen cities claim the credit for first initiating the plan, but to an impartial observer, it looks like a clear case of the American temperament and ability for self organization recognizing a condition and simultaneously throughout the country suggesting the same solution. The ideal of a great community fund, wherein all agencies and all individuals may be called upon to join, is a development which cannot help but have its profound effect upon our future civic development. Early in the war, Detroit had taken into its patriotic fund practically all of its local charities and institutions. Other cities have followed suit and the idea of a central financing and central audit of civic and charitable propositions seems firmly established.

Milwaukee has had, since the early days of the war, a war finance organization which handles all drives, Liberty Loan, War Savings, Red Cross, County War Fund, and the like. Every member of this body of some 3,000 men and women has pledged himself to continue the work for civic purposes after the war, and to maintain their organization intact.

INDUSTRIAL ORGANIZATIONS

It has been a comparatively rare thing for the various councils of defense to form departments of manufactures or industry. In general, these activities were handled locally by the various chambers of commerce, most of which have had industrial or manufacturers' committees with their permanent bureaus and staffs. In Milwaukee, however, this was one of the activities of the council of defense and a strong committee representing each line of industry with a staff and branch office at Washington was inaugurated early in the war. This organization was taken over and became the War Industries Board, Regional Committee No. 17.

The main functions of these war industries boards and manufacturers' committees have consisted in furnishing information as to possible government contracts, securing priority ratings, and, in general, keeping a close tab of the industries in the district to see what possibilities and capacities they possessed to aid the government in its prosecution of the war. At the present, however, the shoe seems to be on the other foot and many of these organizations or their successors exist to aid the industries in making necessary combinations for foreign trade, solving labor difficulties and furnishing information as to new possibilities. The Pittsburgh war industries board, for instance, intends to remain intact. The reorganized Wisconsin manufacturers' association has taken over the Milwaukee board's material. The Cleveland chamber of commerce has always had a strong industrial division. Throughout the country the same process is going on. The war contribution to industry will be permanent.

COMMERCIAL ACTIVITIES

So far as commercial business is concerned, just one slogan made any headway throughout the war: "Curtail and give service if you can, but at any rate, curtail." It sounded much worse to the retailer and the jobber than it really was. Delivery costs in Milwaukee's large department stores have been cut 50 per cent by the reduction of four or five to one delivery per day, and no real service has been sacrificed. Naturally, retailers are hoping to hold to this plan and to look for new economies rather than to go back to the old plan of competition in useless service. Emergency transportation, provided through motor trucks and through the utilization of the electric lines, saved money, equipment, and time. Neither the shippers nor the carriers desire to drop this useful development. With adequate community backing this movement will go on.

PUBLIC WELFARE ACTIVITIES

Although Mr. Hoover and meatless days belong to the dull, dreary past, their souls go marching on. The expounder of domestic science is reluctant to step down from the proud pedestal she has so recently occupied and many of the cities are developing permanent programs for improved household management and propose to permanently cheat both the family garbage pail and the municipal incinerator.

Mr. Garfield's fuelless Mondays and restrictions on the use of hard coal have had a permanent effect. Many a householder is going to stick to soft coal in preference to the anthracite of which its soulless government deprived him during the war. It is going to be hard to convince the janitor and the private householder that he ought to keep up the fuel economy rules, but it will have some effect at least.

In public health and private health, strides have been made and programs started which will continue over the future. Under-hospitalized cities have been able to forcibly call to the attention of the city fathers and capitalists the real short-comings under which they were laboring. An immense number of people have been trained for nursing and public health work. Through the Red Cross there has developed in every community a strong organization whose energies can be applied to social service and health. The entire public welfare program seems to have been vitalized and strengthened anew through the demonstration of its necessity afforded by war times.

PUBLIC AFFAIRS AND MORALE

A real contribution from the war boards to the community has been the work in uniting public opinion and the people of the various communities. Towns, cities, and villages have developed their war organizations comprising all classes. In the larger cities, ward and precinct committees and councils of men and women both have served to afford Americans an opportunity to really know their community and their fellow men. The Selective Service was a tremendously democratizing influence.

The Americanization program is another war development and apparently is here with us to stay. The participation of the schools and the educational institutions in war work and in the more vital relation to the rest of the community is another noteworthy addition. The volunteer public safety organizations consisting of special civilian deputies, Home Guards, the American Protective League, and others, has been an excellent indication of the desire of Americans to participate in helping win their own war.

WHAT NEXT?

Like all correct stories, this one is supposed to have a moral. The writer has attempted to sketch in a broad way the vast impetus given to co-operative effort, joint action between the governments and their citizens and the participation in governmental affairs of the citizens generally. There seems to be just one thing needed and that is some sort of a representative, non-political body comprised of the best human material in each community to act as a clearing house for ideas, a stimulating center, and community council to be interested not only in civic matters but to see that the commercial organizations are functioning properly, to back the really big movements which concern vitally the welfare of the community, to link together the local government and the various organizations,—in other words, to bring together in its membership for the welfare of the community the various organized interests, whether they be manufacturers, retailers, union laborers, bankers, social service workers, or what not. It is some organization of this kind that must become the logical heir to the programs and workers of the war boards. Many of the individual activities carried on directly by the councils of defense and by bodies which were created from them will of course go on, but the need of a real community center is vital. Whether this can be furnished by a really progressive chamber of commerce organization, or by a civic federation of all the principal associations in the community, is immaterial; but the community center, planning department and clearing-house is clearly the need which our war experience has indicated.

NASSAU COUNTY PLANS A NEW GOVERNMENT

BY JOHN FLEISCHER

Secretary, Nassau County Association, Mineola, New York

To modernize a county government involves in almost every state the dexterous avoidance of constitutional obstacles, but Nassau county on Long Island, New York, nevertheless, presents a finished plan that provides a chief executive, a shortened ballot and sound financial organization. :: :: :: :: :: :: :: :: ::

THE laws under which counties operate in the state of New York were enacted more than a century ago and they have been amended by the legislatures and interpreted by the courts almost every year until they form now a mass of contradictory and conflicting statutes. The uniform rural conditions that originally existed throughout the counties of New York State have long since passed and have been succeeded in many counties by complicated and diverse conditions. This is particularly true in Nassau county where responsibility is divided and duties overlap. It was because of this inefficient and expensive government that an insistent demand was made by the people of Nassau county for a change in the government.

There will, therefore, be introduced in the next session of the legislature a plan of county government recommended by the commission on the government of Nassau county, consisting of seven prominent residents appointed by the board of supervisors under the authority of an act of the legislature of 1914. This plan is important as it is a pioneer movement in the reform of county government, particularly in the eastern section of the United States. County government is comparatively an unexplored field and the plan blazes the way.

THE PRESENT "SYSTEM"

Nassau county has an area of approximately 300 square miles with a population at the last census of 118,000. In addition to the county government, of which the executive officers are the supervisors consisting of two members from the town of Hempstead, one from North Hempstead, one from Oyster Bay and one from Glen Cove city, there are within this small area three town governments, seventeen incorporated village governments, and one city government. The system had its origin at a time when the towns and counties in New York state not included within cities were sparsely settled and when communities were distant from and had very little in common with each other.

With the growth of Nassau county there have developed all these separate political entities, independent governmentally of each other, with various executive administrative officers. The county has so increased in population and the facilities of transportation have so steadily advanced that the county has now grown into a compact community while the governmental instrumentalities have remained unchanged. What is important, furthermore, under the system of government in towns and counties now existing—there has been a lack of responsibility in any one official or set of officials, and a duplication or confusion of governmental powers and responsibilities has resulted.

Since the organization of Nassau county, about two decades ago, the expenses of government have increased to a wonderful degree. It is true that Nassau county has increased enormously in population because of increased transit facilities and because of its proximity to the great city of New York, but, notwithstanding this, the expenses of government have increased entirely out of proportion with the normal growth.

CONSTITUTIONAL DIFFICULTIES

The commission, after it began its investigations, became satisfied that, in order to avoid the duplication of the functions and to co-ordinate the departments and to place responsibility, there must be a centralized government under a responsible executive. The commission was satisfied that the executive and administrative functions were confused, and it decided that it was important to have the county government with a competent head as an executive and to provide for the legislative duties otherwise.

After a careful consideration of the situation and an examination of the general and special laws applicable to Nassau county, it was found that there were constitutional restrictions which made it impossible to provide a plan which would give the county a genuine centralized government.

The Nassau county commission decided that the first step towards securing a competent centralized government was to have removed the constitutional prohibitions and it convinced the delegates to the state constitutional convention of the necessity of having an amendment which would allow each county in the state to enact laws applicable to its own peculiar condition. By this means Nassau county would have been able to secure the enactment of such laws as would have given it a centralized government irrespective of the other counties of the state. This amendment was submitted to the people of the state and was unfortunately defeated with the other proposals submitted.

Imbued with the conviction that centralization was the most efficacious means of securing good government in Nassau county, the commission sought to abolish the town lines by combining the towns into one and making it coterminous with the county. This was on the theory that as towns were frequently divided, the converse might hold and they could be consolidated. This would obviously have resulted in the devolution of many town offices and would have resulted in a great saving to the taxpayers. There was some doubt as to the constitutionality of this procedure and eminent counsel was consulted, who decided that the consolidation was not permissible under the constitution of the state of New York.

After being confronted with this objection, the commission, not discouraged in its efforts, sought to create a city embracing the whole county, with a carefully, well-defined charter. This plan was, after mature thought, abandoned for two reasons: the first was based on sentimental reasons. Nassau county is essentially a suburban and rural community. Its organization as a city would make an anomalous and incongruous situation.

The second was based on more material reasons. The three towns of Hempstead, Oyster Bay and North Hempstead receive substantial contributions each year from the state of New York in the form of state aid for town roads. If a city were created, the towns necessarily would cease to exist as such and this large sum would be lost, as the state does not give money to cities for roads.

After the consolidated town plan and city plan were abandoned the commission decided to recommend such changes as were possible under the constitution. It was the unanimous opinion that there should be no "tinkering" with the government, but that all the sweeping changes should be made that were possible.

THE NEW PLAN

The commission has succeeded, notwithstanding the constitutional prohibitions, in effecting real governmental reform in Nassau county. It has succeeded in consolidating a number of offices. It has provided for the organization of the county and town governments under presiding officers, with definite executive functions, and it has adequately provided for the legislative functions of the county and town governments. It has taken the county roads from the realm of politics and has divorced the contracting power and the auditing power. It has provided for competitive bidding, with awards made to the lowest bidders for work done and supplies furnished, and it has applied this to advertising and printing. If the commission has done this, and this only, it has conferred a great boon on the people of the county because it has made possible a free and independent press.

The plan does not change the system of town and county government established by the constitution. Such a change would be unconstitutional. Towns and counties are two of the earliest forms of local government. The study of existing conditions made by the commission has convinced it that the governmental problem confronting the county must be viewed from the broader standpoint of the county as a single municipality. In considering the government of the county, the commission is concerned with municipal government. Many governmental functions analogous to those exercised by a municipality may be bestowed upon a county government under the constitution.

A study of municipal legislation of the state of New York, especially the charters of cities, disclosed that there has been developed certain well-defined means and methods to secure efficient and economic administration of municipal government which are adaptable to town and county governments and are within the constitutional limitations.

Political thought and experience have established no principle of muncipal government more firmly than that the efficient and economical administration of such government requires a single-headed chief executive with adequate power of supervision and control over its finances and over the officers in charge of the various departments of the government. Such chief executive should draw his powers from the entire electorate of the municipality and thereby be made responsible to such electorate as a whole for the due administration of all the departments of the government.

The county under the present law has no such chief executive. The executive powers of the chairman of the board of supervisors are rudimentary and negligible. He is not elected by the county at large. The failure of the present law to provide a chief executive for the county is one of its defects.

THE "SUPERVISOR-AT-LARGE"

To remedy this, it is proposed to provide a chief executive of the county in the office of supervisor-at-large.

The important executive powers, which are conferred upon the supervisor-at-large, require that he should be elected by the county at large, should have a comparatively long term of office and an adequate salary. He is to be elected by the qualified electors of the county, his term of office is four years, and his salary is $7,500 per year. He may be removed by the governor in the same manner as a sheriff.

The supervisor-at-large is the presiding officer of the board of supervisors, and he has one vote therein. He, therefore, may be regarded in this respect as the successor of the chairman of the board of supervisors. Broad executive powers and duties are, however, also given to the supervisor-at-large, which, under the present law, the chairman of the board of supervisors does not have. Although his executive powers are not so extensive as those generally conferred upon the mayor of a city, they are, nevertheless, substantial and sufficient to enable him to be an efficient chief executive.

He has a limited power of veto of the resolutions and actions of the board of supervisors; he proposes the annual budget and thereby determines, in the first instance, the amount of the annual tax levy; recommendation by him is a prerequisite to borrowing of money or issuing of bonds by the county; he has the absolute power of appointment and removal of all appointive county officers. This power, however, extends only to the heads of departments and not to their subordinates. The subordinates are appointed and removed in accordance with the civil service law. He has the power of visitation and examination of all county offices, including elective officers; all supplies and work for any county office are to be purchased and provided for only by the supervisor-at-large; where contracts are publicly let, he may reject all bids, but a contract, when awarded, must be so awarded to the lowest bidder.

Members of the board of supervisors, with the exception of the supervisor-at-large, will continue to be elected respectively from each town or city.

The principal modification of the powers and duties of the board of supervisors which is proposed effects the subjection of the actions of the board of supervisors to the veto of the supervisor-at-large, in placing the budget-making power in the hands of both the supervisor-at-large and the board of supervisors, the transfer of the board's auditing powers to the comptroller, and the transfer of the board's jurisdiction over the county roads to the commissioner of highways and public works.

THE SHORT BALLOT

A change in the method of selecting the officers of the county has been made by the adoption of what is known as the short ballot, whereby in addition to the constitutional officers of county judge, surrogate, district attorney, county clerk and sheriff, only two county officers are elected, namely, the supervisor-at-large and the county comptroller. The supervisor-at-large appoints the county treasurer, commissioner of highways and public works, commissioner of public charity, clerk of the board of supervisors, county attorney, county health officer and the police commissioner.

Under a system whereby the entire administration and executive control of the affairs of the county are vested in a board of supervisors, the members of which are elected in the towns, it naturally follows that the supervisors are jealous of, and are guided by considerations which enure to the interest of their respective towns. Instances of this can be found in the administration of county roads and the distribution of county road moneys. In the plan which the commission is proposing, it has endeavored so far as is possible to vest the administrative and executive functions in a single officer elected by, and therefore responsible to, the county at large, with the power of appointment of all officials of the county with the exception of constitutional officers.

Under the present system the board of supervisors of the county not only makes contracts but acts in a quasi-judicial capacity in auditing the bills resulting from the contracts made by it. The new plan provides that the power to contract should be entirely separated from the power to audit.

Under the present system each member of the board of supervisors is a committee of one having entire charge of the construction, maintenance and repair of county roads in his respective town, and there is not only lack of uniformity, efficiency, and co-ordination but also a lack of economical administration. The supervisor-at-large, under the new plan, appoints a commissioner of highways with exclusive control of county roads which are taken from the control of the board of supervisors and removed from the realm of politics.

FINANCIAL UNIFICATION

There is at present no requirement that contracts for the expenditure of substantial sums, particularly in the construction and improvement of roads, be let by public bid. Where such contracts are now let by public bid there is no uniformity in the terms of the contracts nor is the form of the contract adopted prior to the invitations for bids. This is remedied by requiring public competitive bidding with a uniformity of terms.

The proposed form of government provides for a detailed and itemized county budget that must be prepared and the amounts contained therein may be expended only for the purposes for which they are appropriated. Under the law now in force the extent to which a budget is itemized or detailed is entirely within the discretion of the county officials and moneys may be transferred and re-transferred from one fund to another at will with the result that the budget practically imposes no limit of the amount of money which is raised by taxation for any given purpose.

Advertising, especially of tax sales, is inserted in the official newspapers of the county at a stipulated rate. Not only is this rate much higher than the rate which would obtain in competitive bidding, but also the amount of advertising now required by law is entirely too voluminous. Competitive bidding is recommended in the new system and the amount of advertising is limited.

THREE CONSOLIDATIONS

There are now seven poor officials in Nassau county; two overseers in each town and one county superintendent. The overseers are in no way responsible to the county superintendent of the poor. The only distinction between county and town poor is the length of residence of the beneficiaries.

Those who reside less than six months in the town are deemed county poor. The plan provides for the consolidation of all these departments under one department of charities under the superintendence of a commissioner of charities appointed by the supervisor-at-large.

In Nassau county there are twenty-one departments of health as the villages, city and towns each have a health department. The county is becoming so densely settled that the health and sanitary conditions in a single village or town vitally affect the health of the surrounding towns and community and the new plan provides that all these departments of health should be consolidated under one county health officer appointed by the supervisor-at-large.

What is true of the health is also true of the police. The villages with their police departments and the towns with their constables are a complex system under which no adequate police protection is afforded to the residents of the county. It is proposed to consolidate all these departments into one general police department of the county under a commissioner of police appointed also by the supervisor-at-large.

SIMPLER TOWNSHIP GOVERNMENT

The government of towns is patterned after the government of the county and the new plan provides for a short ballot in towns whereby the only officers elected are the supervisors, justices of the peace and town auditor and three trustees, known as town trustees. All the other officers, including town clerk, assessors, receiver of taxes, superintendent of highways, and constables are appointed.

Final power of audit is given to the town auditor in the same manner as the county comptroller has the final power of audit.

The board of trustees is given the powers and duties of the town treasurer, the care of cemeteries and common land and fisheries, the leasing of common land and fisheries for a term not exceeding ten years, and the execution of conveyance of town land when authorized by the inhabitants of the town, and the exercise of all powers and duties of town trustees in towns which now have town trustees.

A budget system, similar to the county budget, is recommended and the letting and making of contracts for work and supplies is provided in the same manner as in the case of the county.

CANADA'S DRIVE FOR BETTER HOUSING

BY THOMAS ADAMS

Housing and Town Planning Adviser to the Canadian Government

While numerous American states and cities have been rather helplessly and tardily appointing commissions to investigate the shortage of housing and cessation of building, Canada was in action within a few days of the armistice. This material was presented also at the National Conference on Social Work at Atlantic City in June.

In Canada we did not attempt to carry out any government housing during the war. That was our misfortune in one respect since it prevented us using the energy and restlessness that comes during periods of war, as a means of creating some bold experiment in model housing.

On the other hand it is our good fortune that our present position is not prejudiced by the carrying out of any extravagant and hurried scheme during the war; by extravagant, of course, I mean the necessary extravagance created by war conditions.

HOUSING AS A PROBLEM OF POST-WAR RECONSTRUCTION

Since the war ceased we have started, in Canada, to deal with housing as a national affair and as a problem of reconstruction. In that sense I believe the United States is still without any definite policy. In my opinion the Canadian policy in this matter is based on the soundest principles that can be applied under a federal constitution in a democratic country. Of course it is not in any sense final. It is a beginning and I am certain that, if we apply proper administration, it will be a beginning of very great things.

In the inauguration of an entirely new policy, involving almost revolutionary changes in sentiment and practice, it is better to begin cautiously and with moderate expectations, only making sure that the principles are sound and that whatever is done is a contribution towards the complete administrative whole it is sought to attain. It is desirable also to use public enterprise as a stimulus and aid to good private enterprise and not as an alternative to anything but bad private enterprise.

THE CANADIAN NATIONAL HOUSING PROJECT

The armistice was signed on November 11. Immediately afterwards representatives of the federal and provincial governments of Canada met and, among other subjects, discussed the desirability of creating better housing conditions. It was observed that there had been a practical cessation of building operations during the war and a scarcity of housing accommodation. The privy council only reported on the matter on December 2, and on the following day, December 3, an order-in-council was issued granting a loan of $25,000,000. On December 12, a committee of five members of the cabinet was appointed to administer the loan. Prior to the taking of this action by the dominion government, the provincial government of Ontario had decided to appropriate $2,000,000 for housing in Ontario as an addition to any federal loan that might be given.

The federal loan of $25,000,000 will be distributed among the nine provinces of Canada, *pro rata* to the population. It is hoped that each province will add a contribution of its own so as to make the available total much larger. The money will be lent at 5 per cent to the provinces and will be repayable by them, in most cases, in six monthly equal installments of principal and interest.

I will now deal briefly with the administration of the loan under two heads:

First, the administrative machinery, and

Second, the conditions and principles under which state-aided housing schemes will be carried out.

I. ADMINISTRATIVE MACHINERY

The federal government, the provincial governments and the municipalities are all involved in the machinery that has to be set up to carry out housing schemes.

Under the constitution of Canada the duty of providing houses and controlling land development is a provincial and municipal, and not a federal matter. Many have urged that the federal government should itself carry out housing schemes, but this would interfere with the autonomy of both the provinces and the municipalities. For the sake of the future development of government housing and its successful administration, it is essential to pay full regard to this fact. In the working out of the administrative machinery great care has been taken to avoid anything that would have the appearance of interfering with the local government. At the same time it is obviously essential that the federal government should take some responsibility with regard to the way in which their money is to be used. They certainly should give some leadership and guidance on the subject and afford an opportunity for co-ordinating the work of the various provinces.

As we shall see later, each province has, before getting the loan, to submit a general provincial scheme of housing for the approval of the federal government. Some kind of federal organization is necessary to examine these schemes, to report on them, and subsequently to exercise some oversight to see that they are carried out. All this must be done with great care and tact as a means of assisting the provincial governments, rather than as a means of criticising anything they do. Once each provincial scheme is approved by the federal government, the jurisdiction in respect of all local schemes will rest with the provincial authorities. In the same way it is expected that as a rule the provincial authorities will show a similar confidence in the municipalities and that once the municipal scheme of housing is settled the municipality will be left comparatively free to administer it and to obtain such loans as it requires to be spent in conformity with the scheme.

To put it briefly, the machinery represents complete co-operation between the federal, provincial and municipal governments with the responsibility divided as follows:

(a) *Federal*—Responsibility for approval of general schemes of each province dealing with the standards and conditions to be imposed by the province in making loans to municipalities; carrying out of advisory work in connection with provincial legislation, forms of scheme, and preparation of plans and specifications, etc., and reporting on questions relating to standardization, comparative data collected from different provinces, etc.

(b) *Provincial*—Responsibility to repay loan to federal government and to administer the general scheme it has prepared and to secure from each municipality borrowing money a general municipal scheme for its own area.

(c) *Municipal*—Responsibility for repaying loan to the province and supervising and carrying out all housing schemes in accordance with the principles and standards included in the municipal scheme which is part of, or consistent with, the general provincial scheme.

The result of the procedure is that the real work and the real responsibility rests with the municipality, although in many cases commissions appointed in municipalities have to, or in some cases may be, appointed. At any rate the responsibility is local. It is near to the people. Close observation of the working out of details will be best attained by this means. It is likely that the municipalities will be slow to accept the responsibility. This has proved to be a stumbling block to housing progress in most countries where national housing has been carried out. It is also probable that some people will fear that our municipal administrations are not competent to undertake such additional responsibilities.

Undoubtedly there are defects in our municipal councils and forms of government and we can always find good reasons for withholding the giving of any added duties or powers to our municipal administrators, but I shall hazard the statement that the longer we continue to do that the longer we shall have to wait to get local bodies in whom we can have confidence. My own opinion is that we should pile up responsibility on the municipal authority for all matters of local administration; that we should not attempt to supersede them more than is necessary for purposes of co-ordination and general progress and that, even if this does produce mistakes, these mistakes will, on the whole, be less than if we attempted to centralize the machinery of the government too much and to create new forms of bureaucracy.

The actual progress made up to the present is that a federal office has been opened in which there are town planners, engineers and architects engaged in collecting data, preparing reports on different aspects of housing and town planning; preparing model plans for distribution to the provinces and municipalities; acting as a clearing house for information on all phases of the housing question; inquiring into questions of shortage of houses, etc. This office is in direct communication with the administrative departments of each of the provinces. The order-in-council setting out the dominion scheme was not completed and issued until each province had an opportunity of raising objections, the result being that the federal scheme was practically agreed to by all the provinces before it was made public. Since this federal scheme was issued, on February 20, the following provinces have passed acts of parliament to take advantage of the loan and deal with the procedure necessary for that purpose: Nova Scotia, Prince Edward Island, New Brunswick, Quebec, Ontario, Manitoba and British Columbia, leaving only two provinces which have, so far, not joined in the government scheme, for reasons that are local and not because they object to the scheme in any principle.

In four out of these seven provinces, general schemes of housing have been prepared and, in the other three, schemes are in course of preparation.

In Quebec and Ontario, directors of housing have been appointed and steps to create special officials are also being taken in the other provinces.

I am not able to enter into many details regarding the progress made, but will simply quote the latest report of the director of housing of the one province of Ontario, which names forty-seven municipalities which have passed the necessary by-laws bringing them under the provisions of "The Ontario Housing Act, 1919."

The Report says further:

> "About five hundred plans have been approved by the director of the bureau of municipal affairs, and in a considerable number of the above mentioned municipalities houses are under construction.
>
> "The director estimates that the loans required by these municipalites will aggregate nearly $10,000,000.
>
> "About twenty municipalities are considering plans for acquiring land and erecting houses on a large scale. Some of them have already purchased land."

The largest city in the Province (Toronto) is not included in the list. It is preparing a scheme of its own under special powers, and purposes to carry it out by means of municipal bonds raised for the purpose.

I would refer those who are interested in obtaining further information to the report of the Ontario housing committee which contains a number of plans for use, if desired, by municipalities, and also to the regulations and forms of the Ontario province, both of which publications can be obtained from Mr. J. A. Ellis, Director of Housing, Parliament Buildings, Toronto.

You will see from the dates I have used and the progress already made that the process of joint co-operation of the three sets of government does not lead to any serious delay in administration.

II. STANDARDS AND GENERAL PRINCIPLES OF SCHEMES

In the order-in-council of February 20, the standards and principles of the federal scheme were set forth. The general object was stated to be as follows:

> (a) To promote the erection of dwelling houses of modern character to relieve congestion of population in cities and towns; (b) to put within the reach of all working men, particularly returned soldiers, the opportunity of acquiring their own homes at actual cost of the building and land acquired at a fair value, thus eliminating the profits of the speculator; (c) to contribute to the general health and wellbeing of the community by encouraging suitable town planning and housing schemes.

FOUR CONDITIONS OF FEDERAL SCHEME TO BE COMPLIED WITH BY PROVINCES

Four conditions were attached to the proposed loan as follows:

(1) The general housing scheme had to be approved as already stated. It was required that the general scheme should include a schedule of minimum standards for purpose of health, comfort and convenience.

(2) Loans were restricted to $3,500 for frame or veneered dwelling, and $4,500 for dwellings of more durable construction as specified.

(3) Money could only be loaned to the provinces and municipalities, housing societies or companies with dividends limited to 6 per cent, and owners of lots for erecting houses for their own occupancy.

(4) The period was fixed to twenty years for local improvements such as

pavements, and frame or veneered buildings; and thirty years for land and more permanent buildings. Due regard is paid to the life of the improvements with a view to encouraging more permanent construction. Thus a loan of $3,000 for a frame dwelling for twenty years would cost about the same per month as a loan for a better house costing $4,000 for thirty years.

These are the four conditions, but attached to the government project are a number of recommendations with regard to standards. Some of the provinces are adopting these recommendations merely as suggestions to be made by them to the municipalities. Others are adopting them and making them compulsory, and others are going further in some respects and not so far in others.

RECOMMENDATIONS OF FEDERAL GOVERNMENT AS TO STANDARDS

I shall have to refer you to the federal scheme, a copy of which I shall be pleased to forward to any applicants, for the details of the standards, and will only draw attention to a few of the outstanding points. The standards set forth are very general and do not enter into much detail. The object was to secure the things that are essential, and that are usually overlooked in municipal by-laws.

They comprise recommendations that land be acquired by a speedy method at the lowest cost; that sites be properly planned and that local improvements, sewers and water supply, be provided in advance of the building of houses; that one tenth of all areas for housing schemes be reserved for open spaces; that not more than one tenth, and in no case than one eighth, of the gross cost per dwelling be spent on bare land; that certain standards be applied to the sizes of rooms, distances between buildings and to sanitary conditions. For instance, every house should have a bathroom.

PROPORTION OF COST OF LAND TO COST OF HOUSE

With regard to the suggestion that the cost of land should be fixed in proportion to the cost of the dwelling, the reference is to the land in an unimproved condition, but if pavements, sewers and water-mains are constructed it would mean that the proportion of the site of the dwelling might be a fourth or a fifth instead of an eighth or a tenth.

So far as the bare land is concerned, no workman's house should be erected on land that in an unimproved conditions costs more than an eighth or a tenth of the complete dwelling. One of the curious facts is that the provinces where land is most plentiful in relation to population are finding it most difficult to comply with this suggestion. In one of the old towns of Ontario, land is being obtained for building houses at $20 per lot, which will represent about a hundred and fiftieth part of the cost of the completed building inclusive of land and local improvements. The effect of this will be that the purchaser will be able to spend an extra $200 on his house more than he could have done on land costing the ordinary price in a small town. This $200 will go to supply those improved sanitary facilities that are usually left out through lack of means caused by the excessive cost of the site.

CANADIAN SCHEME SUITABLE FOR UNITED STATES CONDITIONS

I commend the Canadian scheme as an example that might very well be followed in the United States. You, too, should have your federal office of housing and town planning, a co-ordinating and advisory bureau. The war has been won by organization as well as by the valor of our men. If it had gone on a few months longer you would have wasted more than you now need to spend in solving your housing problem. Your federal government should offer a sum of money which, to be equivalent to the Canadian appropriation, would be about $300,000,000 to assist the states to carry out housing and town planning schemes. This money should be lent at 4 per cent to be equivalent to our 5 per cent. It should be lent to your state governments after consultation with them, and after settlement with them of the principles that would govern the spending of the money on housing schemes. Each state would prepare its own housing scheme, and one main condition of any federal scheme should be that such a state scheme be prepared and approved before any loan is granted. Under state control the municipalities or housing commissions would work out the problem locally and would build houses where needed.

To make housing improvement more effective, however, it will be necessary to have better and more general town planning legislation in the states and to unite administration of housing and town planning together in a state department.

It seems difficult to believe that the American people, with all their resourcefulness, their love of freedom and humanity and their unequalled opportunities, will let their program of reconstruction continue to have the defect that it does not deal adequately with the most pressing social problem of our time. All of us realize what the housing problem is to-day in our big cities. In New York and Montreal it is getting beyond our control—by any means within our power. Let us ask ourselves what the problem will be in twenty years hence when the slum population has multiplied more rapidly than other classes of population, and our slum areas have grown relatively greater than now to our healthy areas, and the great cities are spread over double their present territory. There is hardly another social question to which it is more important that we should apply our energies, and there are few other social problems that can be effectively dealt with, without at the same time dealing with the problem of improving housing conditions.

THE GOOD NATIONAL BUDGET BILL

BY W. F. WILLOUGHBY

Director, Institute for Government Research, Washington, D. C.

The Good Bill is built up from the researches of Mr. Willoughby whose long preparation now nears fruition. The article is dated June first and the bill reprinted here is as originally introduced.

PRIOR to the recent assembling of congress in special session, Republican leaders announced that among the measures of national importance that they would seek to have enacted during the session was one providing for the adoption by the government of a scientific budget system.

Promptly upon congress convening, Mr. Good, chairman of the house committee on appropriations, introduced the accompanying bill calling for this action.[1] Though this bill is but one of a number having the same end in view, it is undoubtedly the one which will receive the most attention and will probably furnish the basis for any legislation regarding the matter that may result. There can be no doubt about the earnestness of the author of the bill in his desire to have the bill acted upon. It has been referred to his committee and he has announced that hearings upon it will shortly be had.

In view of this, it is highly important that all persons interested in the promotion of this fundamental reform in the system of financial administration of the national government should familiarize themselves with the provisions of this measure and give to it such support as they are able.

In considering any measure of national reform it is always desirable to distinguish clearly between the theoretically desirable and the practically feasible. Especially is this so in the case of the measure under consideration. No one can study the problem of a national budget without being impressed with the fact that, while the principles underlying this system are comparatively simple, the actual work of putting the administration of the financial affairs of the national government upon such a basis is a task of the greatest magnitude. There is scarcely a phase of public administration that will not be vitally affected by the change. If fully adopted, a budget system will radically alter the relations between the President and congress, and the President and all subordinate administrative officers. It will necessitate a thorough-going revision of the rules of the two houses. It requires a complete recasting of the accounting and reporting system of the treasury. Finally, it renders desirable, if not imperative, that an entirely new status shall be given to the offices of the comptroller of the Treasury and the six auditors of the executive departments, and profoundly modifies the character and scope of their duties.

In view of the importance and variety of these changes, it is not remarkable that congress may hesitate to take the action that will necessitate the effecting of all these changes at one time. To the legislator occupying the position of responsibility that does the author of the present bill, the problem thus presents the two phases of what he would like to accomplish, and what, under existing circumstances, he believes can be done. That Mr. Good is a thorough believer in the budget system with all its implications there can, the writer believes, be no doubt. If this bill does not provide for all the features that advocates of budgetary reform would like to see incorporated in it, it is not due to any lack of good will on the part of the author, but to the fact that, in his opinion, congress cannot be induced at this time to go further than is there provided. To us who are interested in this great reform the important thing to determine is whether the action that is called for is in the right direction and whether the door is still open for further advances as circumstances may permit. If we find that the bill has this character, it is our duty to support it. While it is entirely proper to point out wherein it fails to provide for action that must be taken if the administration of the national finances is to be put upon a complete budgetary basis, it would be unfortunate in the extreme to make these omissions a point of attack instead of the good features a matter of urgent advocacy.

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[1] H. R. 1201: A bill to Provide a National Budget System and an Independent Audit of Government Accounts and for Other Purposes.

It is not intended by the foregoing to indicate that the bill as it stands is a half-hearted measure. On the contrary it is in many respects an extremely radical proposition and if enacted will constitute a long step towards the goal which the most pronounced supporters of a budgetary system have in view. This, it is believed, will fully appear in the brief analysis of the bill that follows.

A correct understanding of this, as well as any budget bill, is only possible when recognition is had of the fact that a budgetary system has three distinct phases: the formulation and submission of a budget; action upon the budget by the body to which submitted; and the execution or control of the budget after it is enacted, or, to speak more correctly, the execution or control of the legislation having for its purpose to put the budgetary proposals into effect, since the budget as such is not enacted. The Good bill addresses itself to but the first and third of these three phases. The second, which has to do with action upon the budget after it is received by congress, involves the question of its reference to a committee or committees; the provisions that shall govern such committee or committees in their consideration of it, the right of members to propose amendments to it after it is reported, or to initiate and secure consideration of independent revenue and expenditure proposals, and many other matters of parliamentary practice and procedure, all of which can be handled only by formal amendment of the rules of the two houses. It is thus exceedingly difficult, if not practically impossible, to seek to cover this phase of budgetary reform by means of a statutory proposal. That it is not covered by the bill under consideration is, therefore, no defect in that measure. It only means that, if the bill is enacted, efforts must then be directed towards securing that reform in the rules of the house and senate which is essential if the full benefits of a budgetary system are to be secured.

Turning now to a more detailed consideration of the bill, the first point to be noted is that it provides for the definite recognition of that fundamental principle of any correct budgetary system that upon the chief executive, and the chief executive alone, rests the responsibility of determining and of laying before the fund-raising and fund-granting authority, the legislature, a statement of the provisions which, in the opinion of the administration, should be made for meeting the revenue and expenditure needs of the government. Under the bill, as drafted, the President hereafter will be the only officer authorized to request of congress the modification of revenue laws or the grant of funds. All requests for funds as they originate in the several departments and bureaus will be submitteed to him instead of, as at present, directly to congress through the secretary of the treasury as a compiling but non-revising organ. These requests will be examined by the President, accepted, rejected, or modified by him as he sees fit, after which they will be laid before congress with his recommendations. The estimates of appropriations will thus be the estimates of the President for which he must assume full responsibility. As Mr. Good said in a statement which he gave to the public at the time that he introduced the bill:

> It (the bill) makes the President responsible for the budget. Under the present law no one is responsible for the estimates. If duplications, waste, extravagance and inefficiency exist in the services, which are purely administrative failures, the President will be responsible for them if he includes in his budget an estimate for their continuation.

In the second place the bill provides that the recommendations of the President in respect to the financial needs of the government shall go forward in the form of a single, consolidated and co-ordinated document. This document, to which is given the name budget, is to set forth in detail and in summary form balanced statements of the resources and liabilities of the government, the revenues and expenditures of the government in the past, the estimated revenues and expenditures of the year in progress, and the revenues and expenditures which, in the opinion of the President, should be provided for for the year to follow; and is to be supported by such further data, analyses, explanations and comments as, in the opinion of the President, are necessary in order to get before congress a clear picture of financial conditions and operations and a comprehensive co-ordinated work program for the future.

Thirdly, the bill makes careful provision for a special service, to be known as the bureau of the budget, directly under the President, which shall have as its function to assist the President in meeting the responsibilities thrown upon him in respect to the formulation of his budget. In the performance of its duties, this service, when authorized by the President, will have full power to call upon all officers of the government for such information regarding the organization, activities and methods of business of their respective services, and to make such investigations of these services as may be deemed desirable by the President in order that he may intelligently pass upon requests for funds emanating from them and in other respects meet his budgetary obligations. It is, furthermore, specially directed to make a careful investigation of all provisions of law dealing in any way with the preparation and transmission to congress of estimates, and the preparation and submission to congress of financial data of any character in order to determine what changes should be made in such provisions of law to the end that all requirements in respect to the reporting to congress of financial data and estimates shall be brought together in one place, co-ordinated, revised and brought into harmony with the budget system to be established by the bill. The results of this examination are to be embodied in a report or reports to the President which the latter is requested to submit to congress with such recommendations for action as he deems proper.

At this point mention should be made of a feature of the bill which, while probably necessary, is far from satisfactory as a permanent arrangement. If a budget is properly to perform its function it must be drawn with extreme care with a view to the presentation of the data contained in it in a form that will permit of their purport being readily grasped. This means that the items contained in the statements of revenues and expenditures and revenue and expenditure proposals should be listed and classified according to some definite principle or principles. Especially is it important that all expenditures and estimates for a service shall be brought together in one place. This is not done at the present time. One of the gravest defects in the existing appropriation system is that the financial needs of a department or bureau, instead of being provided for in one act, are, for the most part, scattered through a number of acts which are handled by a number of committees acting independently of each other. In order that this system may be followed congress has provided that estimates of appropriations shall be correspondingly scattered and separately presented. Until this requirement is abolished, it is impossible to give to a budget the form that it should have. Unfortunately this cannot be done until congress is willing to change its rules of procedure which now recognize the nature and contents of existing appropriation acts and the committees by which they are to be handled. Pending the accomplishment of this reform which, as stated, must be effected by a change in the rules of the two houses the best that the Good bill could do was to provide that the President, while having full power to determine the amounts of money which in his opinion should be appropriated, should, as far as possible, make his budget conform in manner of presentation to that now in force. In recognition of the defects of this system, the bill, however, also provides that the President shall have a free hand to formulate and present to congress another document which shall set forth the items listed and classified in such a way as to conform to the requirements of a properly constructed budget. Manifestly such an arrangement is unsatisfactory as a definite provision. This feature of the bill must, therefore, be looked upon as a temporary provision adopted only as an expedient to meet a situation which it is hoped will shortly pass away.

In the foregoing we have considered only those features of the Good bill having to do with the first phase of the budgetary problem—that of the formulation and submission of a budget by the President. The last half of the bill deals with the third phase—that of the execution, or rather supervision over the execution, of the budgetary provisions after they are enacted into law. A legislature has performed only a part of its duty when it has granted funds to the administration with which to carry on the activities of the government. It still has the obligation of assuring itself that its agent, the administration, faithfully complies with the instructions that have been given to it through the revenue, appropriation and other statutory enactments. This is necessary, not only in order that the administration may be subject to proper control, but that the legislature may have the information needed by it in passing upon administrative proposals for future expenditures. Such a control or supervision can only be secured when provision is made for the examination of the accounts of the administration by an officer who is independent of the administration and reports direct to the legislature. At the present time the national government has a comptroller of the treasury and six auditors of the executive departments. These officers, however, are officers of the executive branch. They interpret their duties in the exceedingly narrow sense of seeing merely that the technical requirements of the law are complied with. Only in a very slight degree do they consider it a part of their duties to criticise the acts of the administration or to bring to the attention of the legislature matters which, in the interest of efficiency and economy in the conduct of public affairs, should be brought to their notice. The fact that they are officers of the administration makes it difficult for them to do so.

The present bill corrects all this. Following the British system, it makes provision for a comptroller-general who will, as far as possible, be independent of both the legislative and executive branches of the government. The intention is to give him such a status of security and permanency that he will have all the independence of a federal judge. This officer will take over the duties now performed by the comptroller of the treasury and the six auditors of the executive departments. In addition to performing these duties it is furthermore made his specific duty, annually, to report to congress the results of his examination of the public accounts together with recommendations of the action which in his opinion should be taken to improve the methods of handling the financial affairs of the nation. That the matter may not stop here, provision is also made for a permanent joint committee on receipts and expenditures of the government, whose duty it will be to receive the report of the comptroller-general and see that due consideration is given to the recommendations contained in it, and to take such other action as in its opinion is necessary in order to correct defects or abuses in matters of financial administration.

In the preceding paragraphs we have been able to do little more than seek to make known the general character and purpose of the Good bill. Space does not permit of our entering into a more detailed examination of its technical features. It is hoped, however, that enough has been given to show that, while this bill far from provides for all the action that must be taken if a thoroughly satisfactory budgetary system is to be secured, it does make a long step in this direction. Of supreme importance is the fact that, if enacted, it definitely commits the national government to a budget system. The way is thus opened for progressive reform in this field. The rapidity with which this reform is accomplished will depend in large part upon the pressure which public opinion can bring to bear upon congress and the President to do that which is now so generally accepted as essential if a really efficient administration of national affairs is to be secured.

SUMMARY OF H. R. 1201

THE GOOD BUDGET BILL

House bill No. 1201 provides for the creation of a bureau of the budget in the office of the President, having a bureau director and assistant director, at salaries of $10,000 and $7,500, respectively, appointed by the President. Employes of the bureau are to be under civil service rules; $100,000 is appropriated for the maintenance of the bureau during the year beginning July 1.

All heads of executive departments are required annually to submit to the President estimates of the financial requirements of their departments. The secretary of the treasury will also submit such estimates of the public revenues as the President may direct. The President will then prepare, with the assistance of the new bureau a budget containing balanced statements of the resources and liabilities of the government, the revenues and expenditures for the previous fiscal year, estimates of the revenues and expenditures for the current fiscal year, and estimates of the revenue and expenditure needs for the ensuing fiscal year. This budget will be submitted to congress by the President, together with his recommendations for meeting the revenue needs of the government, and with such other data or recommendations as he may see fit. He may also submit additional estimates from time to time; but no other executive officer shall submit to congress estimates for revenue or expenditures unless at its request.

Present legal requirements governing the contents, order, and arrangement of the estimates of appropriations and receipts shall be observed in the preparation of the budget; but the President is authorized to submit an alternative budget prepared according to any system of classification and itemization which he may consider serves better to convey the essential facts regarding the condition of the treasury and what in his opinion are the revenue and expenditure needs of the government.

The bill also provides for the creation of an accounting department, to be independent of the executive branch of the government, under the direction of a comptroller general and assistant comptroller general, who shall be appointed by the President, with salaries respectively of $10,000 and $7,500. These officials shall hold office during good behavior, but either may be removed at any time by resolution of congress for inefficiency, neglect of duty, or malfeasance in office. The offices of comptroller of the treasury and assistant comptroller of the treasury are abolished, and their duties, together with those generally of the six auditors of the various departments of the executive branch, are vested in the auditing departments and shall be exercised without direction from any other officer. All claims and demands by or against the federal government, and all accounts in which it is concerned, shall be settled in the accounting department. The comptroller general is to make to congress a periodic report covering the receipt and disbursement of public funds, with his recommendations relating to the work of the department; $100,000 is appropriated for the maintenance of the department during the year beginning July 1.

The bill further provides for a permanent joint committee of congress on receipts and expenditures of the government, consisting of three members of each house, to investigate methods and procedure relating to the receipts and expenditures of the government, including estimates, appropriations, audits, and accounts, and to recommend advisable changes.

THE WORK OF THE RECONSTRUCTION LEGISLATURES

BY FREDERICK REX, RICHARD S. CHILDS, AND MANY HELPFUL CORRESPONDENTS

One of our ambitions for the "Review" in its new monthly form is to make it more of a newspaper; hence this attempt to cover the legislative high points as early as possible. Since five legislatures are still in session as we go to press, the record is necessarily incomplete. Corrections will be welcomed and will be published later. See also the summary in the Editorials.

GOVERNOR SMITH in his message to the New York legislature in January set the proper pace for all the states at this time. He emphasized the problems of reconstruction with which the nation is confronted and the great need of effective and sane co-operation on the part of the state and local authorities. He urged enactment of laws for the relief of the injured, crippled and incapacitated soldiers and sailors; for the proper care of the widows, orphans and other dependents of heroes; and for remedying the unemployment due to the readjustment of business and industry from a war to a peace basis. Among other problems of reconstruction cited by Governor Smith as pressing for solution, are

(a) The enactment of measures of taxation which will bear equally upon all classes.

(b) Provision for the production and distribution of the necessities of life so that the people may obtain them at the lowest cost.

(c) Enactment of more stringent and universal laws for the protection of the health, comfort, welfare and efficiency of the people.

(d) The problems of finance and banking, as well as questions of sanitation, unemployment, labor, the position of women in industry, education and military training.

(e) The readjustment of costs, production and distribution of food stuffs and fuel, wages and employment.

RECONSTRUCTION COMMISSIONS

As an effective means of assisting in the solution of the foregoing problems, Governor Smith appointed an important reconstruction commission empowered to make investigations and to report on the industrial, commercial, economic, sociological and military needs and requirements of the state which have been produced by the World War and the readjustment to conditions of peace.

The legislature being of the opposite political party, refused to make any appropriation for the commission and the latter was forced to do what it could with private subscriptions. It was a rather typical result of the impact of war-time idealism upon the reactionary legislative mind. The commission made only one recommendation before the legislature adjourned. That was for the continuation of the state employment bureau, for which purpose $230,000 was appropriated.

A bill was introduced in the Illinois

senate providing for a state council of reconstruction, employment and relief, consisting of fifteen persons appointed by the governor, whose duty it shall be to assist returning soldiers, sailors and marines to find employment, to co-operate with other agencies of the state in furnishing employment and sustenance, and to recommend to the governor and to the assembly such laws as are necessary to carry out the spirit of this enactment.

Pennsylvania has continued its war-time commission of public safety and defense as a commission of public welfare with authority to undertake Americanization of the foreign-born, aid any good civic social betterment enterprise, and compile a history of Pennsylvania's part in the war.

HOUSING

Governor Lowden, in his biennial message to the Illinois legislature, urged that a state-wide housing code be adopted as a means of preventing the erection of houses which are inimical to public health, and for the purpose of rigidly controlling future building conditions; a bill has been introduced in the Assembly to this effect.

A policy for correcting bad housing conditions in Milwaukee was submitted to its mayor. It suggests action along the following lines, as necessary to a solution of the housing problem: (a) The elimination of speculative land values in some residential districts; (b) zoning of the city to safeguard all residential districts; (c) economical and adequate planning of streets, transportation, sewerage disposal, water supply, lighting, planting of trees; (d) elimination of waste in the construction of homes; (e) acquiring for wage earners the benefits of ownership without interfering with labor mobility; (f) legislation aiming to stimulate the erection of wage earners' homes; (g) public instruction as to the possibilities of housing betterment.

"Speculative building methods," says the report, "have failed in Europe and in this country to provide wage earners' homes of a type commensurate with the cost involved. Under this system it is quite impossible to build wholesome dwellings for low paid workers. It, therefore, seems to be a duty of the state to devise methods whereby the new spirit of common responsibility for the community welfare, which is true democracy, may provide a better means of safeguarding the homes of the people against bad conditions than a category of legal restrictions. Constructive legislation stimulating the erection of wholesome homes for wage earners through state or municipal loans is no more class legislation than is legislation establishing schools, hospitals or public parks. It should aim to remove the objectionable features of present methods and make it possible for all people in Wisconsin to enjoy those environments which make for wholesome, contented lives. Progress in this direction is being made elsewhere. It should be possible to accomplish it in this state."

The committee on housing appointed by Mayor Peters in January submitted a report on housing laws and conditions in Boston and recommended to the legislature for passage a suitable act incorporating the principal findings of the committee as follows: 1, A "housing law," distinct from a "building law"; 2, Strict enforcement of all building and health laws which apply to housing; 3, More light and air in congested districts; 4, Removal of all dwellings no longer fit for habitation; 5, Public improvement of the north end as proposed by the city planning board; 6, Public assistance toward the building of "multiple dwellings" at low rental; 7, Organized development of public interest in health and housing; 8, No more wooden three-deckers, but non-combustible walls, with wooden porches if desired.

Texas passed a constitutional amendment, subject to ratification at the polls, permitting the use of state credit to assist heads of families to acquire or improve their homes, and authorizing the state to acquire, improve, sell or lease real estate. The form which this will take depends upon further legislation which is to follow the adoption of the amendment and may provide colonization or loans for home-building anywhere.

The state-owned home building association created in North Dakota is authorized to take land, plan it, build houses, provide utilities thereto and sell on an installment plan. The state will lend 80 per cent on mortgage and is to be fortified against loss by the fact that each buyer must join risks with nine others in a home-buyers league pledging up to 15 per cent of his own property in a mutual guarantee of the loans of all the members. Payments are monthly over a period of twenty years. The funds are to be found by the cash deposits of the first 20 per cent by each buyer and the sale of these group-protected mortgages. Thus a home costing $4,000 can be acquired when $800 has been accumulated in deposits in the association and the payments thereafter will be $26 a month for twenty years with a chance for delay in case of crop failure or sickness.

Numerous bills in many legislatures aimed to give relief to tenants from increased rents and offered to municipalities power to provide housing.

New York's contribution to the housing problem is an elaborate investigation by Governor Smith's reconstruction committee and another by a joint legislative committee. At the four-day woman suffrage session in June, a bill was passed relaxing the tenement house law by permitting conversion of four-story dwellings to four-family tenements. Congress was urged by resolution to exempt mortgage bonds from income taxes.

WAR VETERANS

The Chicago city council last December voted to submit to the legislature a bill to amend the state law relating to the civil service of cities by providing that preference in civil service examinations be extended to those who have been engaged in the military, naval or aerial service of the United States during the years 1898–1902 and during the years 1914–1919. Its passage is reported to be certain.

In several other states the integrity of the civil service was threatened by schemes to give preference in appointment to veterans of the war. In New York such a bill passed, but being a constitutional amendment must pass again two years hence. A similar bill passed in California, while numerous bills having the same purpose were introduced in Pennsylvania, but are all probably unconstitutional.

Extension of the state's established land settlement policy to provide work and rural homes for returned soldiers is the outstanding item of the reconstruction legislation of the 1919 California legislature. Two measures carried out this program. One amended the state land settlement act of 1917, under which the Durham colony is now operating, by providing for preferences to returned service men in the sale of farm allotments, and appropriating $1,000,000 for immediate extension of the work. The other provides for a bond issue of $10,000,000 to be voted on in November, 1920, for a comprehensive land settlement program. Provision is made for co-operation in any plan which may be adopted by the United States government.

To give assistance to returned soldiers in finding employment and otherwise assisting in the return to civil life, a state committee on soldiers' employment and readjustment was provided for early in the session. This committee succeeded to the work of the state council of defense. Under the chairmanship of the adjutant general, the committee has endeavored to co-ordinate effort in placing soldiers in positions and in encouraging industrial activity.

The New York legislature had before it numerous bills recognizing the valor and services of soldiers and sailors.

A proposed bill sought to exempt from taxation dwelling houses owned or occupied by any member or honorably discharged veteran of the military or naval forces of the United States who has actually served overseas.

Another bill proposed a state scholarship for each honorably discharged veteran of the world war who is a resident of the state, and whose course of study was interrupted by entering the military or naval service. Such veteran must have been actually enrolled in a college or have entered upon the second year of preparatory work therefor and attended school at the time of or during the school term immediately proceeding his entry into the service.

The scholarship entitles the holder to tuition and room rent for the period of the regular college course of four collegiate years, or such portion thereof as may not have been completed at the time of his entry into such service, and to admission into any college of the state, of his selection, for which he is or shall become prepared.

Four hundred and fifty state scholarships were finally provided in the bill as passed, entitling each holder to $100 a year for tuition and $100 a year for maintenance in any college or technical school in the state.

North Dakota imposes a half-mill tax for a soldiers' compensation fund from which any returned North Dakotan soldier can draw $25 for every month he was in service, providing he uses the money toward building a home or completing his education.

Vermont provided for a census of "farms for sale" to be published by the commissioner of agriculture, who is directed to make the information available to returned soldiers and to cooperate with the federal government in placing soldiers on Vermont farms.

Idaho created a soldiers settlement board with an appropriation of $100,000 to be spent in co-operation with the federal government in aiding returned soldiers to obtain homes on state land.

Texas passed a measure which prohibits the sale under execution, deed of trust, mortgage or lien, of property belonging to soldiers and sailors now or recently in service, until twelve months after discharge. A great flurry, which involved a special four-day session of the legislature, resulted in a law to make it possible for returned soldiers to vote without waiting a year for certain normal legal formalities. A resolution was passed charging the governor with the duty of giving their old jobs to state employees returning from service.

TAXATION

Tax reform was probably the most notable achievement of the Indiana legislature. A new tax law was enacted, but in view of the conviction that the legislature could not do all that should be done because of present constitutional limitations, two resolutions for amendments to the constitution were adopted. One would permit the legislature to classify property for taxation and the other specifically authorizes an income tax.

The new tax law is a striking piece of legislation because of the power it gives to the state board of tax commissioners over both local and state levies and over bond issues of any municipal corporation. The law also gives the state board power to remove local assessors for misconduct or inefficiency and to order reassessments at any time, which means that real estate, which is ordinarily assessed every four years, may be assessed oftener if the state board chooses. The law is already in force and property is being assessed under it. It provides for a true cash value assessment. The old law had this provision but it was never enforced. Now with the great power the state board has, it is undertaking to enforce a 100 per cent assessment. It is predicted that the total valuation will be more than double what it was under the old law. This might open the way to excessive taxation if former tax rates were levied, but the new law has the remarkable provision that no greater revenue shall be raised in any taxing unit for any succeeding year than will be raised under the rates levied for this year on the old valuation. This provision will force a reduction in rates corresponding to the increase of valuations under the 100 per cent plan. That is to say, if valuations are doubled, tax rates will have to be cut in two. If any taxing unit desires to raise more revenue hereafter than heretofore, it must petition the state tax board for permission. A levy of $1.50 on $100 for all purposes may be assessed by any taxing unit without consent of the state board providing that levy will not raise more revenue next year than was raised this year. The state board, on petition, may reduce levies as well as increase them.

The law also places much power in the state tax board by the provision that no bonds shall be issued without the board's approval. The exception to this provision is that if a bond issue of $50,000 or more is disapproved by the state board, the decision of the board may be overthrown by a referendum election in the taxing unit proposing the bond issue. The power to pass on tax rates and bond issues will add a vast amount of work for the state tax board. While the bill was under consideration, it was attacked on the ground that it invaded the right of local self-government, but the opposition was not very strong. As the bill was introduced, it provided for a deduction of 75 per cent from the assessed value of intangibles, the expectation being that this would bring intangibles out of hiding. But the farmers and others made a persistent fight against this provision, and it was rejected by the house. Then the senate put in a provision that intangibles should be taxed according to their income, but in final conference this was thrown out. Under the old law, with most kinds of property assessed at from 30 to 50 per cent of their value, little intangible property got on the duplicate. A tax rate of about 3 per cent the state over, and even 5 per cent in some cities would eat up practically all the income from intangibles. If property is now under the new law put on the duplicate at approximately 100 per cent of its value and tax rates are cut in two, it may be that more intangibles will come out of hiding, for the tax rate will probably be between 1½ and 2 per cent.

The power of the state tax board extends to state tax rates. For example, the levy for the two universities and the state normal school is 7 mills. With the total valuation of the property of the state doubled, the state tax board will cut the levy practically in two. The power of the state board over state tax rates extends for two years, the idea being that the next legislature shall decide whether the power is to continue.

The law is regarded as an interesting experiment in taxation, and its workings will probably be of interest to other commonwealths.

Sweeping changes in taxation were enacted in North Dakota. Assessable property is reclassified as follows: railroads, farm lands, bank stocks, flour mills, elevators, public utilities and urban business buildings with their lots are to be assessed at full 100 per cent value. Live stock, agricultural tools, motor vehicles and homes in towns are to be assessed at 50 per cent of true value. Farm improvements, town residences up to $1,000 value, $300 worth of personal property, $300 worth of workmen's tools and $1,000 worth of farm implements and machinery are exempt.

A new income tax law classifies incomes as earned or unearned and imposes graduated taxes. The highest rate is 10 per cent on incomes over $30,000. Earned income is money earned by personal services or derived from a business personally managed; $1,000,000 a year is expected from this tax.

A moderate income tax of 1 per cent on incomes up to $10,000, 2 per cent on incomes up to $50,000 and 3 per cent on larger ones is New York's answer to the loss of $22,000,000 of liquor revenues. It is estimated to yield $40,000,000. This sum will be divided half and half with the local governments. Corporations suffer a 50 per cent increase in their franchise taxes and of the $24,000,000 expected from this source, a third will go to the local governments.

The Illinois legislature at present writing has not adjourned. Reform of taxation methods was agitated and important bills were introduced providing for a state tax commission with adequate powers to supervise assessments. This would abolish the elective state board of equalization of twenty-six members. A franchise tax on corporations is one of the promising revenue plans.

Prohibition cost Texas $800,000 a year out of about $15,000,000 revenues. A tax on crude oil was increased to 1½ per cent, yielding a new $1,000,000 of income.

After a bitter fight in the Missouri legislature to abolish the state tax commission on the one hand, and to increase its powers and enforce 100 per cent assessment on the other, the commission was practically eliminated as a tax improvement factor, with no change in the government basis.

REORGANIZATION OF STATE GOVERNMENTS

Governor Smith in his message found that there are too many state commissions and boards and that much of the work of his state could be consolidated under single-headed commissions or by officers elected under the constitution. Little was done, however, except to pass a dubious measure demolishing the Public Service Commission.

Illinois has passed a bill providing for a convention to revise, alter and amend the Constitution of Illinois to convene on the fifth day of January, 1920, at Springfield. The convention shall consist of 102 delegates—two from each senatorial district. These delegates shall possess the same qualifications as required of senators, shall be nominated at a primary election held on the tenth day of September, 1919, and shall be voted for at the election in November.

Pennsylvania provided for a commission to study and report to the general assembly upon the subject of the revision and amendment of the constitution.

The Indiana general assembly fulfilled most of the short-ballot pledges contained in the Republican state platform, with two notable exceptions. It failed to pass a bill permitting cities to adopt the commission or commission-manager form of government, and it failed to pass a bill to make the attorney-general appointive by the governor instead of elective. The bill failed to pass after it was amended to make the term four years, instead of two, the term to run concurrently with the term of governor, which is four years. The cry of centralization of power was raised, and the personal influence of the present attorney-general was exerted against the proposed change. The legislature, however, abolished the elective offices of state statistician and state geologist.

Also in keeping with the platform, resolutions for constitutional amendments were adopted to make the offices of clerk of the supreme court and superintendent of public instruction appointive instead of elective. These are constitutional offices, so resolutions will have to be approved by the next legislature before they can be submitted for approval of the people. It is proposed to authorize the supreme and appellate courts to appoint the clerk, and to authorize the state board of education to appoint the state superintendent of public instruction.

A department of banking and a department of insurance were created, the governor to appoint the commissioners. These departments have been under the elective state auditor.

North Dakota constituted its governor, attorney-general and commissioner of agriculture and labor—all of whom are elective—an industrial commission, and put into their hands the organization and management of a new state-owned bank—the bank of North Dakota—a terminal elevator and flour mill association and a home building association.[1]

The North Dakota mill and elevator association will engage in the business of manufacturing and marketing farm products with warehouses, elevators and flour mills on a state bond issue of $5,000,000. The farmer will be allowed to deliver his grain to the state terminal elevators and receive a receipt on which he can borrow if he thinks it best to wait for a higher market. The scheme has precedent in Australia, New Zealand and Canada. Fairer grading of the wheat is promised on a scientific standard. The powers of the association are sufficient to enable it to set up bakeries in Chicago, or New York, and sell bread if it chooses.

Idaho repealed the direct primary law so far as state and congressional officers are concerned and returned to the party convention.

An important measure, already described in the NATIONAL MUNICIPAL REVIEW, reorganized the state administration into nine departments under the governor, instead of forty-eight divisions.

In California the governor appointed a commission on efficiency and economy to overhaul the state administration. The California taxpayers' association met it with a thorough and comprehensive plan for departmentalizing the state government and was partially successful with the commission. The governor, however, apparently lost heart in the enterprise and transmitted the report to the legislature without his endorsement, whereupon the effort failed. One department, the agricultural, was created, however, by the consolidation of several boards and officers.

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[1] See vol. viii, p. 330.

The Pennsylvania legislature has had before it a comprehensive series of bills reorganizing all state departments.

The Michigan legislature passed a central purchasing bill and a provision for uniform accounting.

A determined effort in Missouri, backed by the mayors, to secure a constitutional convention ran afoul of gerrymander jealousies and failed.

Texas followed many other central western states by creating a board of control to co-ordinate the management of its institutions. Six other boards or offices were abolished as well as the various boards of managers of most of the various state institutions. In addition the board of control is to prepare a biennial budget covering not merely its own institutions but all state offices and also is to do all state purchasing, printing and auditing. The board of control consists of three members, with six-year overlapping terms, appointed by the governor.

Texas will submit the question of a constitutional convention in November. If the election is carried, delegates will be elected in March, 1920, and the convention will convene in June following. It will consist of 142 members. The Texas library and historical commission is asking an appropriation for preparatory work.

California also votes in November on the call for a convention to meet in 1922.

BUDGETS

Signal progress was made in this field, for nine states adopted the executive budget principle. Three of them, Oklahoma, South Carolina and Wyoming, followed the Virginia budget law of 1918. Nevada made a verbatim copy of the Utah law which in turn is taken from the Maryland law. The other new budget states are Arizona, Idaho, New Hampshire, Michigan and Colorado. Indiana put through the legislature a constitutional amendment for a budget, subject to repassage and adoption two years hence. Nebraska improved its 1915 law by substituting a copy of the Illinois procedure. Alabama created a budget board and Texas gave budget functions to its new board of control.

Colorado's bill for an executive budget is typical. It requires all the administrative officers to send the governor their estimates before November 30, itemized as the governor may require. The governor shall revise the estimates and submit them to the legislature on January 15, together with revenue plans and comparative statistics of previous periods. The governor, auditor and department heads shall have the right to appear and be heard in the legislature on the appropriation bill. A budget and efficiency commission is created, appointed by the governor, for a four-year term, at salaries of $3,600, to act as statistician and investigator with access to all state records.

There are now only thirteen states left where the initiation of budgets has not been more or less definitely turned over to the executive department.

California's budget system failed to achieve economy. The budget board, consisting of the members of the board of control and the controller, diligently studied departmental demands and pruned them down to a practicable total. The legislature passed the budget and then went romping off with extra pork legislation to the tune of $15,000,000, much of which, however, the governor was expected to veto.

MUNICIPAL GOVERNMENT

Governor Edge of New Jersey dwelt at length in his message upon the merits of the city-manager plan of municipal government, and declared in favor of the enactment of legislation giving cities power to adopt any form of government which may meet local conditions and local wishes. The bill, however, failed of passage. Similar bills failed in New Hampshire, Illinois, Tennessee and Missouri.

In Indiana the city-manager bill passed one house in defective form and was about to be passed in the other under pressure from Governor Goodrich when it was discovered that the amendments were mislaid. A frenzied search in the closing hours of the session was unavailing and the opportunity was lost.

A permissive bill was passed in the Wisconsin legislature providing for the city-manager plan of government for the cities of the state. The bill is brief and simple, stipulating the conditions under which it may be possible for the Wisconsin cities to operate under the city-manager plan. All the powers of city government remain the same except that they are differently distributed, the legislative powers being conferred upon the council, and all executive and administrative powers upon the city manager. This bill is so drawn as to fit into the general charter law, and to make it possible for a city to adopt the city-manager plan with as little departure from the general charter law of the state as possible. A feature of the bill is that in the make-up of the legislative council each city is given wide latitude. Any city can adopt the city-manager plan and practically leave its legislative council composed as under the old scheme. It may determine the number of councilmen composing the council, their term of office, and their manner of election whether by wards or from the city at large.

A bill in California permitting the little sixth class cities to provide by ordinance for the employment of city managers passed but failed to receive the governor's approval. Another proposed for these cities provides: "Whenever the state university or extension division thereof establishes correspondence or other courses of training for administrative offices in municipalities, such as the office of city clerk, attorney, health officer, manager, engineer or street superintendent, the board of trustees of such city shall, if practicable, make such appointments from persons who have taken and completed such courses and received a diploma or other certificate of their proficiency."

Two great special efforts were made to reorganize the municipal governments of Chicago and Philadelphia. The Chicago bills backed by fifteen civic organizations originally proposed the city-manager plan, *i.e.*, the council to elect the mayor. The city council would not endorse this, but did endorse the remainder of the program including bills to reduce the council from 70 to 35 members, to make the term of councilmen four years with limited recall, to shorten the ballot by making the elective treasurer and clerk appointive by the council, and make the ballot nonpartisan. They all died in committee in the legislature.

In Harrisburg, excellent measures to simplify the political jungle of Philadelphia were enacted. The major projects of the program are to abolish the big bicameral council with its 140 members in favor of a single council of 21 and to set up a sound budget procedure.

A bill introduced unavailingly into the Ohio legislature from Cleveland would have put before the people at the fall election an amendment to the state constitution designed to permit a union of city and county. The amendment would provide a means by which any county of the state could reorganize its government and adopt a home-rule charter.

A proposed constitutional amendment in Oregon provided for consolidating the city of Portland with Multnomah county. It was not passed.

An interesting constitutional amendment that failed of passage in Utah encouraged consolidation of cities and county governments.

A bill lost in the Missouri legislature sought to make possible the separation of Kansas City from Jackson county. The people of Kansas City could provide by amendment of the city charter for such separation, determine upon the offices to be established or abolished, arrange the details or basis upon which the new government shall be grounded, and otherwise assume the functions of both city and county governments within the limits of the city.

A constitutional amendment submitted to the voters by the Missouri legislature proposes to give Kansas City power to adopt any form of government it desires. This is to escape the present constitutional provision, from which only St. Louis is exempt, practically limiting cities to the bicameral form. A second amendment offered by the legislature increases the general bonding power of St. Louis, Kansas City, and St. Joseph from 5 to 10 per cent of the assessed valuation, and permits the issuance of bonds to the extent of 20 per cent for the purpose of building or purchasing public utilities. Bills were also passed permitting the consolidation of city and county tax and finance offices; and increasing the pay of the Kansas City police. Important bills defeated were the Australian ballot and election reform bill, the St. Louis police home rule bill, and an excess condemnation bill.

The subject of city-county consolidation is also under discussion in the city of Birmingham, Alabama.

Mayor James Couzens, in his inaugural message, urged that the common council consider the project of combining the city and county governments of Detroit, following the plan adopted in Denver and San Francisco.

The Utah legislature passed a constitutional amendment giving cities the right to frame and adopt their own charters. The measure is apparently self-executing. The state retains the power "to enact general laws applicable alike to all cities of the state" while each city obtains power "to exercise all powers relating to municipal affairs and to adopt and enforce within its limits local police, sanitary and similar regulations not in conflict with general law," also "to furnish all local public services; to purchase, hire, construct, own, maintain and operate or lease local public utilities," "to make local public improvement and to acquire by condemnation or otherwise property—also to acquire an excess over that needed for any such excess property with restrictions, in order to protect and preserve the improvement; to issue and sell bonds on the security of any such excess property or of any public utility owned by the city, or of the revenues thereof, or both, including, in the case of a public utility, a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate such utility."

If adopted by popular vote this amendment will take effect January, 1921.

Vermont gave its cities and villages the right to engage in the coal, wood or ice business.

A good home rule constitutional amendment for cities was favorably reported in the New York Assembly with the backing of civic organizations and the conference of mayors. The bill seemed certain of passage and the Citizens Union charges that it was defeated by legislative trickery and manipulation.

SOCIAL LEGISLATION

In a frank bid for the alliance of labor the non-partisan farmers of North Dakota have enacted a workmen's compensation act which, like most such acts, does not apply to farm hands or domestic servants. Miners are protected and an eight-hour day established for them. A public welfare commission is created and empowered to fix minimum wages for women in industry, and eight hours is made their maximum work-day. Indiana created a free state employment service.

Illinois reduced the hours of working women from ten per day to nine, with a maximum of forty-eight per week.

A minimum wage law was passed in Texas, for women and minors, to be administered by a minimum wage commission which shall directly determine the minimum wage in each community. Such laws usually go by industries, this one apparently goes by localities, which seems a more natural method since the rational base is the cost of living.

A bold program of social service measures failed in New York despite the backing of Governor Smith. The program included health insurance, a minimum wage for women and an eight-hour day for women, drafted hopefully and carefully by competent labor legislation authorities. The bills passed the senate and failed in the assembly because of up-state conservatism.

An interesting little bill passed in Texas appropriates $12,000 for a house-to-house survey of one or more counties by the state health officer to obtain exact data as to preventable diseases.

An important effort to improve rural education in California called for making the county the school unit except in cities, in the belief that the larger unit would be more expert and flexible than the local bodies. A constitutional amendment to make the state superintendent of public instruction appointive by the state board of education, instead of elective, was also proposed.

A constitutional amendment in New York, which must wait till 1921 for repassage and popular approval, provides that no person shall be entitled to vote by attaining majority, by naturalization or otherwise, unless able to read or write English. An appropriation of $100,000 was made to enable the commissioner of education to promote and extend facilities for educating illiterate and non-English speaking adults. In 1910 New York, by the federal census, had 406,000 illiterates and 600,000 residents who did not speak English.

An elaborate reorganization and modernization of the city criminal court of Detroit, subject to ratification by the people of the city, was passed by the Michigan legislature after a bitter struggle.

PUBLIC WORKS

Large public works are in prospect in several states. Illinois will build a canal from Lockport to Utica, completing an important connection between Lake Michigan and the Illinois river. New Jersey will build a great bridge from Camden to Philadelphia in coöperation with Pennsylvania, and will join New York in the construction of a tunnel street under the Hudson from Jersey City to Manhattan.

New York's appropriations for various public works exceed $25,000,000.

California votes on a $40,000,000 bond issue for highways on July 1.

Pennsylvania put into effect its constitutional amendment authorizing a $50,000,000 loan for good roads.

MISCELLANEOUS

A curio in the North Dakota list is the provision for one official newspaper in each county instead of three, this paper to be elected each year at the polls! The official paper thus chosen will receive all the public advertising. Considerable saving is expected, but the chief purpose is to destroy the newspaper patronage which influences and corrupts the rural press here as in many other states for the political benefit of county politicians. The method of escape is odd and may have some odd results, but the cure aimed at is fundamental to democracy and if successful may change the whole political atmosphere for the better.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

Robert W. Speer: A City Builder. By Edgar C. MacMechen, Editor-in-Chief. Published by authority of the Council of the City and County of Denver. 79 pp.

To commemorate the civic achievements of Robert W. Speer, thrice mayor of Denver, and by any test an outstanding figure in municipal affairs, this book has been issued. The joint work of the editor-in-chief, the mayor, city attorney and four department managers of Denver, it provides a valuable record of Mayor Speer's activities for the beautification of Denver, the improvement of the city's affairs, and the betterment of its citizens. The book possesses genuine interest, for whatever may be thought of him by his friends or enemies, Robert W. Speer, probably as much as anyone might, earned the title of "Denver's master builder."

His biographers justifiably present Mayor Speer as a close student of civic subjects from his first display of genius for political leadership while still in his twenties. He was a practical politician, working in harmony with his party, and even professing a distrust of the sincerity of avowed reformers. His appointments to office were made for political reasons; but from his appointees he demanded faithful, efficient service, with the alternative of their resignation or discharge. He was essentially a man of action. Many of his projects required months of development in his own mind, a period during which he formed and reformed in all details a plan embodying his ideas; but when once his plan was ready for presentation, he had a reason for every suggestion, an answer to every objection, and a determination to carry out the plan in the shortest possible time. A typical instance of his penchant for action is related in connection with his program for civic improvements during his first term as mayor. His city attorney having been denied by the supreme court a motion to advance for trial twenty-seven law suits, an accumulation of years, that were delaying the progress of Mayor Speer's projects, he secured a monster citizens' petition requesting the court to advance these cases in the interest of Denver. The petition had a humorous but instantaneous effect. The court refused to allow the petition to be filed, but asked the city attorney to renew his motion. This being done, the cases were promptly decided and the development of the city greatly advanced.

Mayor Speer's knowledge of municipal affairs was enriched in a very practical way by his familiarity with the municipal machinery of Denver, a familiarity gained not only through his interest in politics, but also by his early experience in office. Elected city clerk in 1884, at the age of twenty-eight, he served also as postmaster of Denver, minority member of the fire and police board (where despite his status he dominated the affairs of the board and laid the foundations of the future powerful Democratic machine), police commissioner, fire commissioner, and president of the board of public works. Concurrent with much of his office-holding, he engaged in the real estate business.

This, briefly, is the equipment re-enforcing Mayor Speer's efforts for the artistic, social, and utilitarian improvement of Denver, of which the present book is largely a record—such a record as leads his biographers to declare:

> He demonstrated fully the value to a city of a specialist, trained in the affairs of city government. He was the forerunner of a type that eventually will serve the public in an official capacity. It is even now in course of evolution through the adoption of the manager form of government. Neither the rank opportunist, nor the highly trained business man, as a general rule, is competent to step into the mayoralty office of a great city and successfully manage the people's affairs. The one does not know enough about ordinary business conditions; the other often has affiliations too closely connected with big interests to serve the people disinterestedly.

It is in the light of this pronouncement that the student of municipal government will find his chief interest in tracing this record of Mayor Speer's marked impress upon the character and history of Denver.

Robert W. Speer was elected mayor of Denver in 1904, upon the adoption of a new city charter. Thereupon began what the editors of this biography call, "the eight golden years of Denver's development." Beautification was the keynote of this period. The appearance of the city was changed, streets were graded and paved, bridges built, overhead wires buried, shade trees increased, the parks expanded, and a boulevard and parkway system created. Also an extensive system of sewers was laid; and on the social side, the parks were popularized, and a great municipal auditorium erected, in which was instituted unprecedented free municipal entertainment. Playgrounds, an imposing civic center, and municipal golf links were other achievements. Antedating the movement for scientific city planning, Mayor Speer replanned Denver, and carried out the plan. From an overgrown country town, it sprang to the eminence of a metropolis. To accomplish this tremendous task in so short a span, Mayor Speer exerted all his energies. He worked day and night, and, we are told, read municipal works, official reports, statements and specifications to the exclusion of all other forms of literature. This, however, is comparatively the superficial side of his labor. We have to imagine the vision of the man, his clearness of purpose, his tenacity against all opposition, and his will to get things done.

The critical chapter of the book, dealing with Mayor Speer's failure as a newspaper editor, his political battles with Senator Patterson, his defeat in the senatorial campaign of 1911, and the breaking up of his political machine, is, as we should expect, a partisan account. For the most part it is a bare summary of events. The struggles with Senator Patterson and the candidacy of Mayor Speer for the United States senatorship are dismissed in thirty-five lines. The wrecking of his political machine and the defeat of his candidate to succeed himself in 1912 occupy only a page. We are told only that his enemies used the argument of high taxes to encompass the defeat of the Speer candidate, though in a later chapter the charge that Mayor Speer profited largely in real estate deals through his advance knowledge of city improvements is answered by the statement that upon his death his estate was valued at only $45,000. Fuller details of these events, even if they gave only the Speer point of view, would have increased the value of the book.

In the interim between Mayor Speer's second and third terms a very interesting chapter of Denver's history was written. This, justifiably, is treated briefly in his biography. His successor in 1912, Mayor Arnold, proved a weak official and was deposed in the following year by a change in the city charter creating a commission government. This experiment was unsuccessful for reasons not reflecting on the merits of this form of government,[1] and led to the agitation for a further amendment in 1916. With two rival amendments proposed for submission to the voters, ex-Mayor Speer entered the field with a third. It was a remarkable document, centering practically all executive powers in the mayor, creating a city council of nine members, designating Speer as mayor, and giving him power to appoint four members of the council. To the amazement of many, the amendment was adopted.

True to his election promises, Mayor Speer made non-partisanship and economy largely the keynotes of his third term. Two of his four department managers were Republicans, as were many lesser appointees, and in the first two months $85,000 was saved by abolishing positions and consolidating minor departments. Coming back to office after extended travel and study, with a broader, riper mind, he also placed greater emphasis on social welfare. The civic center project was carried to final completion, an $85,000 organ—paid for by private subscription—was installed in the municipal auditorium, the state was forced to assume care of the insane from the county hospital, a municipal coal department[2] and a municipal bakery were instituted, the notorious oil stock frauds were driven out of the city, and the office of city chaplain was created. At the height of his activity Mayor Speer developed pneumonia and died on May 17, 1918.

The biography which his coworkers have provided presents sympathetically the achievements of the man who did for Denver in a decade what would ordinarily require a generation. It fittingly commemorates Robert W. Speer's genius as a politician, financial director, builder, artist, and man. RUSSELL RAMSEY.

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WHAT OF THE CITY? By Walter D. Moody. Chicago: A. C. McClure & Co., 1919.

Mr. Moody has written a valuable book setting forth what he terms America's greatest problem—what constitutes real city planning, and how to go about it to insure success. Because of his position as managing director of the

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[1] See NATIONAL MUNICIPAL REVIEW, vol. v, p. 471.

[2] See NATIONAL MUNICIPAL REVIEW, vol. VII, p. 97.

Chicago plan commission, and the notable work accomplished by that body, Mr. Moody has drawn largely on Chicago materials for the structure of his book—but by no means exclusively, for the book has a delightful breadth of vision; and, while the style is popular, the material is reduced to principles which will be of the utmost help in stimulating city planners generally and in making clear the relation and obligation of private citizens to city planning movements.

The first impression of the book is its practical and authoritative nature, for, as Mr. Moody admits, he obtained his training as a city planner —or, as he puts it, a promoter of city plans— largely in the school of experience. Mr. Moody throws no mystery around the task of city planning. Rather he dispels it, and makes it what he calls "a simple, common-sense procedure to make conditions more livable for the dwellers in cities." He puts the emphasis on starting right. Cities grow so rapidly that things get out of hand, and the problem to understand in the beginning is the factors to be dealt with, the expansion to be anticipated, and the requirements for providing for it. He makes the very vital distinction between *city* planning—that is, working with all the factors of the city in mind— and planning for only one or a few of these factors, such as widening streets, making parks, etc. The latter method, which he aptly calls city unplanning, is the cause for the failure of many movements conceived as city planning.

Separate chapters are devoted to the growth, needs, and dangers of American cities; the way to go about city planning; the elements to be harnessed; publicity; misapplied energy; inspiration and influence; and related aspects of the subject. An interesting chapter is also devoted to the plan of Chicago, which serves admirably to make many of the author's suggestions concrete. Appreciation is due the author for having provided an index.

Mr. Moody well points out that the control of the nation is passing into the hands of the cities, and that a sound national fibre demands the creation of municipal instincts for good order, cleanliness, honesty, and economy. This is a noble and proper stimulus for city planning movements, and for their spread throughout the country. For the inspiration and guidance of those who promote such movements, as well as for those who do the planning, Mr. Moody has provided a veritable handbook.

THE MOVEMENT FOR BUDGETARY REFORM IN THE STATES. By William Franklin Willoughby, Director, Institute for Government Research. New York: D. Appleton & Co., 1918. 254 p.

Book jackets were at first designed, it is supposed, to protect the original binding until the volume gets into the hands of the "ultimate consumer." Nowadays they serve a variety of other purposes, among them that of giving busy reviewers a short-cut to the contents of the volume and ready made opinions of its merits. Publishers seldom object to the reviewers using these convenient little paragraphs either with or without quotation marks.

The jacket summary of Dr. Willoughby's volume is so adequate and so accurate that the present reviewer, though he has read the book, is constrained to quote it in full.

"During the past four or five years the movement for budgetary reform in the administration of the individual states has spread with surprising rapidity, and remarkable progress has already been achieved. Although much remains to be accomplished before even one state finds an ideal way of administering its finances, the time is ripe for a survey of what has been done up to the present, in order that this pioneer action may bear its full fruit. This book makes, in completest detail, such a survey. It gives a full account of the action that has been taken by all the states of the Union looking toward the introduction of a budgetary system and reproduces in full all legislation having this purpose in view.

"In the first chapters the nature of the problem of budgetary reform is discussed; the conditions confronting the states and their efforts to work the problem out are shown. The main body of the volume is concerned with a detailed description of the budgetary legislation of the different states, in which the author shows just what principles controlled the enactments in each case, and how far these fulfill the requirements of an ideal budgetary system."

The words to be underscored are "detailed description of budgetary legislation in the different states," for undoubtedly the chief value of the work lies in the brief summaries of the present budget laws and of events leading up to their enactment, accompanied by the full text of the acts in some twenty-five states. The comparative analyses and general summary are also useful, but one gets an impression of a kind of unreality about the whole work, arising apparently from the fact that the author is discussing projects of law rather than experience in administration of the laws. Very little is said about the way these budget systems are working. Perhaps it is too soon for anybody to say how they work. Certainly that would be a much more difficult piece of research. But is not that just what the public and legislators now want? The first of the budgetary laws treated was enacted in 1911, the bulk of them falling in 1915 and 1917. Only one 1918 statute, that of Virginia, it may be noted, is included though at least four states enacted important measures in 1918.

If it could be gathered up, there must even now be a considerable body of most illuminating experience which would be far more useful to legislators than *a priori* principles or the texts of a few more ideal budget laws.

Dr. Willoughby very sanely advocates the so-called executive budget and points out though briefly the administrative and practical reasons for this form of financial procedure. Fortunately he does not allow himself to be drawn off the trail by the theoretical question of whether the governor or the legislator represents the people, in other words, whether the formulation of budget proposals by or under the supervision of the governor is undemocratic. Evidently the state legislators have not been much alarmed by the autocratic possibilities of the executive budget for many states have made the governor the chief budget officer. What we want now is a thorough comparative study of the way the executive budget is working.

C. C. W.

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PRINCIPLES OF GOVERNMENT PURCHASING. By Arthur G. Thomas. New York: D. Appleton & Co. Pp. 275.

The purchasing departments of governments often come in for adverse and partisan criticism, but few have attempted to deal with the subject scientifically and constructively, and for that reason, Mr. Thomas' book is well worth reading. He has arranged his book in two parts. In the first and shorter part he outlines the problems to be met and the qualifications which should be possessed by a purchasing agent. In the second part he shows how to meet these problems and the effects of the various methods suggested, and he does not hesitate to draw illustrations from both governmental and private purchasers.

Mr. Thomas points out that the lot of a governmental purchasing agent should be easier than that of a private purchasing agent because while private business may come and go, the government goes on forever and in much the same manner. But the governmental purchasing agent is usually restricted by laws which were often framed to meet different conditions than those facing him and to avoid the possibility of favoritism; and these laws not infrequently hinder him from rendering his department more efficient. Of course legal restrictions, such as forbidding an official or employe from participating in a contract, are necessary, but thus minutely describing the administration of the office often works harm and sometimes defeats its own end, while the centralization of purchasing with its consequent aid to publicity will help to prevent graft.

In dealing with the centralization of purchasing, it is pointed out that a standardization of articles and grades can thus be obtained; that the competition of desirable bidders, who would not care to deal with so many departments, is secured; that lower prices are quoted and that there is an incentive for vendors to render good service; that the number of those employed in the work is reduced. And if inspection is also centralized, the latter is true of that service, and uniformity of inspection is secured. Even where it is legally necessary that the various departments issue the purchase orders, it would be advantageous to have a central agency enter into price agreements with vendors. Private purchasers sometimes enter into agreements without stating any definite quantity or price. At the same time he warns us against too great centralization.

One advantage that a private purchaser usually has over the government purchaser is that the government usually asks for bids on a specific article, whereas there may be several articles that will fill the need and the private purchaser can secure competition on articles as well as price. Mr. Thomas points out that while your specifications should be definite, so that you are sure to get what you want and assure the trade that you know what you want, undue detail will often discourage competition. The desirability of asking bids on classes of articles, instead of specific articles is also discussed.

To secure wide competition, the invitations must be advertised and Mr. Thomas discusses the various forms of advertising. He doubts whether formal advertisements, especially in official papers, bring the invitations to the attention of the largest number of desirable competitors. Bulletin board publicity is quite successful for certain classes of articles, especially among local dealers; and individual, informal notice also has its merits.

Something which is usually considered a duty of the auditing department and not of the purchasing department, especially in governments, is the payment of bills; since if bills are not paid promptly the purchaser loses caste, it should be the duty of the purchasing department to check the bills (and they are best able to do so, as regards prices) and see that they are paid promptly. He discusses several methods of checking bills and ascertaining whether the goods have been received.

Mr. Thomas has handled his subject skilfully and has made a contribution to the subject of a character which it sorely needs.

Henry E. Pearson.[1]

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The Financing of Public Service Corporations. By Milton B. Ignatius, LL.M. The Ronald Press Company, New York, 1918. Pp. xviii and 508.

The aim of this book, as stated in its preface, is "to offer in this one volume a comprehensive discussion of all the important aspects of public service corporation financing, from the inception of the enterprise and the issue of certificates of interest or indebtedness, to the expenditure of the proceeds and the permanent record thereof."

Instead of accepting the author's division of his treatise into four parts, the reader is apt to see two main divisions: (1) Corporation finance; and (2) The limitations and restrictions placed by public regulation upon the financing of public service corporations, together with some discussion of subjects corollary thereto. Except for a short chapter (II) on public service corporations and commissions, the first 266 pages deal with corporation finance in general. Here the author has performed a useful task in bringing together definitions relevant to his subject. Most of the contents of the succeeding 190 pages deal with the regulation of finances of public service corporations, though even in this section much of what the author says (*e.g.*, a considerable part of the chapter on intercorporate relationships) would read well in a general treatise on corporation finance.

As preparation for handling the subjects discussed on pages 267–456, the author's experience in statistical and accounting work with both of the public service commissions of New York state gave him intimate acquaintance with their policies and with regulatory practice in that state. On the other hand he (admittedly) confines his attention almost exclusively to these two commissions. The reader wonders at times how their policies and practices differ from those of other regulatory bodies and wishes that the content of the first 266 pages of the book might have been abridged, if necessary, in order that more space and attention could have been given to these other regulatory bodies.

Though trained in law, the author has consciously avoided legalistic terminology and has, for the most part, adopted a style which should attract the general reader interested in the subjects discussed. Typographically, the book is admirably arranged and the serious errors in proof-reading are not sufficiently numerous to mar the reader's opinion of the book.

The author would agree that the army of investors in the securities of public service corporations who are seeking a solution of their present difficulties will not find in this book complete answers to all of their questions. But both such investors and others interested in this subject and in corporate finance in general will find the book worth reading and worth placing among other valuable reference books.

H. E. Hoagland.

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Housing Problems in America. Proceedings of the Seventh National Conference on Housing. New York: National Housing Association, 1918. 469 pp.

The present volume of conference papers is a contribution of permanent value to the solution of the housing problem, and is marked by the notable list of authorities who compose its authorship.

The dominant note of the book is government housing in some form—federal, state, or municipal. A large proportion of the papers touch more or less directly on the subject, and apparently with unanimity, as a necessary factor in working out the complicated task of providing sufficient housing to redeem the deficiencies of the war period. This viewpoint is taken very emphatically and earnestly in the first paper—that on housing and social reconstruction, by Thomas Adams—and is reiterated in Dr. George E. Vincent's paper on housing and reconstruction. These are followed by a group of six papers directly on the subject, in which Joseph D. Leland and others describe the housing accomplishments of the federal government during the war. Notable among these is Frederick L. Ackerman's argument for government co-operation in providing adequate habitations for its citizens. He makes very clear his position that such an act cannot be considered paternalistic in a democracy where the elemental philosophy upon which "collective provision" is based appeals strongly to the average man who has come to recognize his impotence in acting alone.

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[1] Bureau of Municipal Research, Philadelphia.

Rent profiteering is dealt with in two chapters by Dr. James Ford and John C. Ellis. Many cases of rent profiteering are cited in which adjustment was accomplished; but these relate chiefly to government mediation for the benefit of war industry laborers. On the whole, the authors are more successful in telling what rent profiteering is, and in describing its effects, than in suggesting remedies of general application.

Other groups of papers relate to the effect of good housing on labor; problems of management; and the perennial slum problem.

One of the most striking chapters in the book is that of Lawson Purdy, "Own Your Own Town," in which he presents a plan for common ownership of all the land in new industrial towns, with the idea that the occupiers and owners of the houses shall get the benefit of such unearned increment as may develop, no land being sold, but all to be on a leasehold basis. This is the modified single-tax plan which is being advanced by "The Committee on New Industrial Towns."

Pool, Billiards and Bowling Alleys in Toledo. By John J. Phelan. Toledo: Little Book Press, 1919.

This book performs a distinct service in helping the reader to understand the problem of commercialized amusements in cities. It is a practical and thorough study of the problem as it relates to pool, billiards and bowling in Toledo, and shows the evidence of first-hand investigation and classification of data. This has been the method of the author, with the purpose of helping to remedy a condition which must be controlled, since it cannot be abolished. Mr. Phelan spent ten months in gathering data as to the number, location, character and financial value of the pool and billiard rooms and bowling alleys of Toledo, during which time he gathered facts relating to the attendance, sanitation, ventilation, lighting, screens and blinds, toilets, violations of the law, gambling and "treats," arrests, connection with saloons, moral atmosphere, etc. The results of this work are carefully set forth, and in many instances illustrated with graphs and charts.

A valuable phase of the survey was a questionnaire submitted to high school boys and answered by 445 of them. The result shows that 75 per cent of high school boys play in pool rooms and bowling alleys, and provides many startling side-lights on the moral influences encountered. Forty-three per cent of the boys answering the questionnaire suggested remedies for evils recognized, ranging from the abolition of all such places of amusement to an investigation of where boys get their spending money.

The book contains a number of valuable appendices, including a digest of state laws and city ordinances dealing with commercialized amusements in Ohio.

II. BOOKS RECEIVED

American Marriage Laws in Their Social Aspects. By Fred S. Hall and Elisabeth W. Brooke. New York: Russell Sage Foundation. Pp. 132.

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NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Financing the Cities of Ohio.—The financial hopelessness of Ohio cities and school districts seems inescapable. On the one hand the state by legislation has assumed a benevolent guardianship over all taxing programs. The so-called Smith one per cent law,[1] now eight years old, prevents taxing districts from raising and spending more than ten mills on the dollar. It was assumed by various taxing districts that this limitation applied only to maintenance charges until the supreme court ruled in 1917 that it covered sinking fund charges as well. On the other hand, costs of government have gone up, the cities particularly are undertaking more public functions, and the demand for "improvements" is insistent. For years bonds have been issued to take care of improvements and to make up deficiencies in operating expenses. The result is that sinking fund charges are now paid out of funds formerly available for maintenance. Meanwhile per capita receipts from liquor licenses gradually decreased, and since May 24, 1919, have been entirely cut off. It must also be remembered that Ohio still retains the constitutional "uniform tax" requirements and most Ohio wealth escapes taxation by the usual methods of evasion. It should be apparent without argument that the constant increase of fixed interest fund charges swallow a larger and larger part of the ten mills. Either new sources of revenue must be tapped or the duplicate immensely increased if the one per cent law is to control. The only other alternative is to spend less money.

For several years both parties have promised the cities and the schools financial relief. Last fall the classification amendment[2] was ratified by the voters and it was expected that the legislature would find an opportunity of uncovering new wealth for taxing purposes. Unfortunately the supreme court held the amendment invalid because it conflicted with another tax amendment ratified at the same election by a larger vote. This decision was a heavy blow to the cities and schools.

After long consideration the cities produced a financial program consisting of two parts:

1. A resubmission of the classification amendment at a special election.

2. An emergency law giving cities the right to vote at the same election to refund all outstanding deficiency bonds and to levy a special rate for five years (above the 1 per cent limitation) which would write off existing deficits.

With classification in operation it was assumed that taxes on incomes, inheritances, stocks, bonds and money on deposit would follow and the duplicate thus increased sufficiently to take care of future increases in expenditure.

Both parts of this program passed the legislature although the opposition was strong enough to prevent the special election feature on the amendment from carrying. Opponents then carried their case to the governor, insisting that the principle of the Smith law be maintained and the "home owner" saved from the heavy burden which such an emergency law would entail.

After the legislature had recessed in April the governor vetoed the emergency bill. Upon reconvening on May 6, the Republicans attempted to pass the measure over Governor Cox's veto. This they failed to do. Thereupon a new bill identical with the vetoed measure, except that the date for such local elections was set for next November, was introduced and passed. This second emergency bill was also vetoed. In sending his veto to the legislature Governor Cox concluded his message with the following words: "I still contend that assistance can be given to local subdivisions of government promptly and efficiently without increasing the tax rate, and that it ought to be done." Thus the cities are still where they were in January—with deficiencies for 1919 staring them in the face.

A word on the politics of this Ohio incident may be interesting. Banking interests were active in backing up the city and school demands. Real estate and down-town building interests joined with the farmers in attacking the emergency bill. These latter groups demanded income and inheritance taxes to meet the situation and stood by the Smith law principle. They split however on the classification idea, and the farmers fought the submission of the amendment bitterly. On the other hand the banking interests did not want income and inheritance tax laws passed before classification was made a part of the constitution, alleging that they would drive taxable wealth out of the state and thus decrease the amount of the duplicate. The only possible relief that may be expected from the legislature is a program of income and inheritance taxation—the plan insisted upon from the first by the opponents of the "emergency advocates."

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[1] See National Municipal Review, vol. vii, p. 371.

[2] See National Municipal Review, vol. viii, p. 94.

C. A. Dykstra.

An interesting side-light on the financial dilemma facing Ohio cities, concisely described above by Mr. Dykstra, is furnished in a letter received from another correspondent, who writes that the motive for Governor Cox's veto of the emergency bill was political, the farmers being opposed to any change in the tax limitations law, though the cities cannot live under the present limitation because of the changed value of the dollar. At the same time the governor's veto is commended because the bill merely temporized with a bad condition, the proper remedy lying in the outright repeal of the limitations law. The latter violates the principle of home rule in taxation, and fixes an arbitrary rate upon the widely different localities of the state, although the general property tax of the municipalities does not conflict with the state's sources of revenue.

Governor Cox is also criticised by the Republican legislative leaders, who charge him with bad faith because of an alleged promise to approve the bill when it was discussed with him before its submission to the legislature, and is also accused of trying to force a state income tax law.

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Dr. Cleveland's Survey of Cincinnati's Finances.—A preliminary survey of the municipal finances of Cincinnati, recently completed by Dr. Frederick A. Cleveland, the Boston financial expert, at the request of an economy commission appointed by Mayor Garvin, showed that owing to the stringent economy already forced upon the city by the state tax limitation law, little more could be expected in this direction. A more thorough survey to discover possible economies was, therefore, felt to be unwarranted, especially in view of the fact that the other phase of the city's financial plan—the necessity for finding additional revenue to the amount of two million dollars, regardless of the existing million dollar deficit—is much more serious.

Dr. Cleveland enumerates the outstanding conditions in the city as follows:

1. An almost static population, increasing less than 15 per cent in ten years.
2. Interest and sinking fund charges absorbing about 40 per cent of the city's part of the tax levy, with the city debt continuing to increase.
3. The maximum tax rates authorized by the legislature already reached, with property assessments at 100 per cent or more.
4. Expenditures in excess of revenue.
5. Current expenses paid with borrowed money.
6. A loss of $300,000 in liquor taxes due to the state law, and a projection loss of $600,000 when national prohibition becomes effective.
7. The loss, or threatened loss, of large community resources because of industrial charges.
8. An unfavorable economic situation for further development of community resources, based on an acute lack of railroad terminal facilities, a disposition of local investors to neglect local enterprises, and general failure to promote movements for making Cincinnati attractive to new industries and business undertakings.

Perhaps the more significant part of Dr. Cleveland's report was his outspoken, but well-tempered, indictment of the general civic mind of the city—the lack of civic spirit on the part of the citizens and the absence of effective leadership. Dr. Cleveland says that Cincinnatians have not developed a "group consciousness, a sense of community interest which is superior to personal advantage and which finds expression in organized means for finding out what is for the best interest of the city as a whole before citizens are asked to back anything, or public authorities are appealed to for powers and the funds to make these conclusions real.

"No community or other joint enterprise can grow and prosper without leadership, and its success must depend upon the ability of its leaders and the unanimity of support given by those who may be depended upon as followers."

"Unless Cincinnati develops within its citizenship a means for bringing out leadership, and getting back of leadership with a following in each of the chief fields of community endeavor, business and social welfare, it would seem citizens may well feel deeply concerned."

⁂

Garbage Handling Profitable.—In a report to Mayor Charles W. Jewett the board of sanitary commissioners of Indianapolis, Ind., points out that in the last seven months the total net income from the municipal garbage reduction plant, which was taken over by the commissioners May 25, 1917, has been $14,896.99. The report shows, according to the *Municipal Journal*, that for the last seven months the total operating revenue was $87,427.23, made up as follows: Grease production, $63,665.63; garbage tankage, $19,502.17; hides, $4,259.43. The operating expenses totaled $50,327.20 as follows: Plant operating expense, $36,370.69; collecting department expense, $7,090.26; purchase of waste meat and grease, $1,354.94. Deduction of the total operating expense from the total income, the report shows, gives a gross income of $37,100.03. From this $17,500 is deducted for the depreciation fund and $4,703.13 is deducted for interest on bonds, leaving the net income of $14,896.90. The reduction plant was bought for $175,000 from the Indianapolis Reduction Company, which had the contract for garbage collection for a number of years. The commissioners say in their report that at the rate of profit for the last seven months the plant will pay for itself in five years and that the net profit represents a return of 8.5 per cent on the original investment of $175,000. The commissioners also say that a saving of approximately $37,000 a year has been effected in the collection of garbage, which is taken care of by the board of public works, as the total cost of collection in the seven months has been $29,765.81, or at the rate of approximately $51,000 a year, while the only bid for the collection of garbage was $87,900. Thus, the commissioners point out, a great saving has been made on collection costs and at the same time a substantial profit is being obtained from the operation of the plant itself. In explanation of the item of expense listed as "collecting department expense, $7,090.26," Frank C. Lingenfelter, president of the board of sanitary commissioners, said this represented what the sanitary board had paid for feed and care of teams. The major part of the collection cost is in wages, Mr. Lingenfelter said, and that expense is borne by the board of works, the board of works thus far having paid out $29,765.81 for this work.

⁂

Government Support of Capital Cities.—What does a national government owe to its capital city in the way of support of the municipal functions, such as fire protection, water service, etc., of which the national government is a beneficiary? This question is raised by the approaching expiration of the agreement between the Canadian government and the city of Ottawa, under which the former paid $100,000 annually to the Ottawa improvement commission for park purposes, and $15,000 for fire protection. In return the city supplies ordinary municipal services to all government buildings and exempts the salaries of government employees from taxation. Mayor Fisher of Ottawa contends that in the new agreement the Dominion government should undertake to pay its equitable share of the expenses incurred by the municipality in carrying on municipal government, and, in addition, contribute such sums as are necessary to make a capital city worthy of the nation. Such an arrangement, it is estimated, would in 1918 have netted the city $886,453, instead of $115,000. The proposition that government buildings should pay taxes is not new. The British government has for many years paid rates on the house of parliament and other government property situated in London. At Dublin the government contributes annually an amount equal to what it would pay if its property were rated like other property, and in addition maintains the police force. In the United States the government pays one-half of all the cost of administration of the District of Columbia. In 1917 the amount paid by the federal government was $6,313,903.00. Of this sum $3,147,367.00 was paid for educational purposes.

⁂

Functions of a Municipal Factory Site Commission.—Suggestions for the program of a municipal factory site commission characterize a recent statement issued by President Aloe of the St. Louis board of aldermen. In these days of keen competition among cities for new industries, something of this character is necessary, according to President Aloe. A municipal factory site commission should not leave the function of swelling the city's industry entirely to the organized business men of the city. It should be a civic function—a part of the city's work as a public institution. The city should create a new industrial district in accordance with a plan formulated by a city plan commission and should purchase and own this tract of land, thus eliminating speculative profit. The district should be conveniently located and divided into lots suitable for industrial purposes, with sewers, paved streets, electric power, telephone wires, switching facilities and street car communication, the lots to be for sale at a nominal price, or to be given free under certain conditions. Under these conditions the city manufacturers seeking location will give much more serious consideration to a city offering these facilities. That the money expended will be paid back in pay-rolls for the benefit of the city in general, is a proposition none can deny. The time has come according to President Aloe, when general business must be an object and concern of the municipality, and the aid, encouragement and fostering of great private industries should be a big part of the city's work.

✱

Hail Insurance Amendment in Saskatchewan.—The province of Saskatchewan has had a municipal hail insurance law since 1913 under which a provincial body composed of one representative from each municipality desiring to co-operate assesses an annual tax not to exceed four cents per acre, thus providing a fund from which are paid losses incurred from damage by hail. The tax is levied without regard to whether the land is under cultivation, but certain classes of land are exempt. In 1913, 1914, and 1915 the maximum tax was sufficient to pay all losses; but in 1916, due to disastrous storms, only 40 per cent of the claims could be met, claims being paid pro rata as provided by law for such a contingency. Again in 1918 the fund was sufficient to pay only 80 per cent of the losses from hail. That farmers thus had no assurance of the amount of indemnity they might receive proved to be the weakness of the law. Owing to the general dissatisfaction the provincial legislature amended the law to permit an additional rate per acre to be levied upon all lands of an owner under cultivation in excess of forty acres. This it is expected will be sufficient to meet the losses in any year up to five dollars per acre in case of total loss.

✱

Civil Service Reform in Washington and Oregon.—The Washington legislature has defeated a bill prepared by the civil service reform association of that state which was intended to regulate the civil service of the state, counties and cities, except those of the first class. The association is now planning to indicate a civil service constitutional amendment for the next general election, and is helping in the revision of the rules under which the Tacoma civil service commission will operate.

A state civil service bill has also just been defeated by the Oregon legislature, and in that state, likewise, this will be followed by a campaign for a constitutional amendment under the direction of the committee for civil service legislation. While the civil service bill was before the legislature an investigation was made of the probation officer appointments that are the fruit of the present patronage system. The following were discovered as "child welfare workers": One steamship purser, one foundryman, one deputy sheriff, one private detective, one boiler maker, one ex-actor, one department store detective, one bartender and prize fighter, one cigar dealer, three professional politicians, one of whom has been dismissed from his position for having taken bail money twice, one real estate man, one Reed college man who was inexperienced, one school teacher, one lawyer, one printer who was a very good printer, one trained nurse who was later discharged to make room for a seamstress, four housewives, seven stenographers, one restaurant worker who was removed because her efficiency was in such marked contrast to that of other employes.

✱

Nevada Reclamation and Settlement Act to Provide Homes for Soldiers.—The Nevada law authorizing a bond issue of $1,000,000 to provide rural homes for soldiers, sailors, marines, and others who have served in action with the army or navy, constitutes a reclamation and settlement board composed of the governor, state engineer, and three others, to determine the practicability of all projects undertaken and to co-operate with the federal government and others in similiar movements. The board may undertake any work of farm improvement, farm equipment, subdivision of land, supervision of settlement, selection of settlers, agricultural training, supervision of loans, and the general operation and maintenance of the plan. It may establish regulations for the sale of rural home sites to those whom the law is intended to benefit, and is required to obtain suitable security by lien, contract, or otherwise, for money spent in reclamation improvements under the provisions of the act. Land purchased in accordance with these provisions is subject to state, county and local taxation; but if the contracting purchaser fails to pay taxes on assessments due, they may be paid by the board and charged to the purchaser with 10 per cent interest. Purchasing contractors are subject to forfeiture of their land for nonpayment as the board may regulate.

*

Nebraska's Constitutional Convention.—Nebraska is to have a constitutional convention. The election of one hundred delegates will be held on November 4, elected on the same basis as state representatives. The present constitution was written in 1875, a year of drought and grasshoppers, with one third of the population deserting the state. The present constitution is long, usurping many legislative functions and making it possible to nullify laws rather promiscuously. Corporations of 1875 were foreseeing and got what they wanted. This year a constitutional convention league has been inaugurated, representing the farmers union, the state grange, the equity society, the Nebraska federation of labor, the nonpartisan league, and a number of persons who do not belong to any of these organizations, but who are interested in having progressive men elected to the convention. The plan is to call a progressive conference in each county for the purpose of uniting upon candidates to support at the polls. As the members of the convention will be elected on a nonpartisan ticket, it is possible for men of all parties to join in this movement.

*

Zone System Adopted by Alameda, California.—Alameda, California, has adopted a zone law which, it is claimed, combines the best features of the Los Angeles, St. Louis, and New York ordinances, and is similar to the zone ordinance adopted in Palo Alto last year, and to the proposed Berkeley and Fresno ordinances. The Alameda ordinance applies to new building permits only, existing buildings and uses of property not being affected. Eight classes of use districts are established, two for residences, four for business and public uses, and two for industrial use.

*

State Legislatures Seek to Borrow a Billion Dollars.—The accumulation of public work due to restrictions on borrowing and construction during the war has resulted in an unprecedented condition in state and municipal financial affairs. It is estimated that the amount involved in authoritized and contemplated state bond issues aggregates approximately $1,000,000,000. Most of this is to be spent for roads and highways, especially in the west and south, where the need for good roads in agricultural districts is particularly pressing. In California and Nevada $10,000,000 and $1,000,000 respectively are proposed to provide land for returning soldiers.

*

Improvements Adopted in Indianapolis.—The Indianapolis bureau of governmental research calls attention to twenty recommendations adopted by the city as the result of a recent survey. Among these are the holding of a public hearing on the departmental estimates for 1919; an invitation to outside banks for bids on a temporary loan, resulting in a lower rate of interest; the disposition of old and unused city property through the city purchasing agent; advance estimates of monthly departmental needs for the benefit of the city purchasing agent; the collection of ashes by the city instead of by contract; and the reorganization of the police department.

*

Housing Reform in England.—The administration of the English housing scheme will be entrusted to a chief commissioner in London and eight district commissioners of housing throughout England and Wales. These will be men of wide knowledge and experience in housing, and they will have important discretionary powers, as well as adequate technical staffs at their disposal.

A manual will shortly be issued by the local government board for use by local authorities and others as a guide to them on how to proceed with the proposed schemes. Practically all the essential house fittings are being standardized, including doors, windows, kitchen ranges, baths, bolts, locks, door handles, and general fittings, designs of which have been prepared and samples chosen.

The board, acting in conjunction with the London county council, is making arrangements for the erection in London of a village of model houses. Each house will be a complete model for the guidance of local authorities throughout the country as regards architecture, style, and internal arrangements. The houses will be erected from the plans which won the premiums in the recent competition instituted by the Royal Institute of British Architects.

The general policy adopted by the board will be on lines parallel to the Tudor-Walters report, and to the suggestions put forward by the National Housing and Town Planning Council. An important decision is that housing schemes will be approved by stages, and thus save a great amount of unnecessary work. The first stage will be concerned with the purchase of the land, the second with the layout of the site, the third with the designs and types of houses to be erected. It is reported that relief will be given for a period of years in respect to rates on new houses built under a certain value.

The preliminary work is already well under way in many municipalities.

State and Municipal Control of Venereal Diseases.—Every state in the union, with the exception of four, has complied with the requirements of the Chamberlain-Kahn act under which $1,000,000 was appropriated for venereal disease prevention work. This sum, divided among the states proportionally to their population, is available for use in states where, by legislative act or by state board of health regulation having the force of law, the stipulated measures have been adopted for the suppression of prostitution, the examination of arrested prostitutes and their proper, medical treatment, and for the reporting and compulsory treatment of venereal diseases. According to information received from the United States Public Health Service, which co-operates with state boards of health in carrying on the work, 206 cities in 41 states maintain 336 clinics and dispensaries where venereal diseases are treated free of charge.

II. POLITICS

Harrison Foundation for Studying Philadelphia's Civic Problems.—An interesting experiment in municipal research and in the checking up of city administration will be inaugurated in Philadelphia when the terms of the will of Thomas Skelton Harrison, formerly consul general to Egypt, are carried out. Mr. Harrison's will provides for a fund, estimated at about $500,000, to be administered for the investigation of municipal affairs and the maintenance of a high standard of honesty and efficiency in the performance of civic functions. Specifically the trustees of this fund are charged with the following duties:

> To secure honest and impartial enforcement of the terms of all contracts made by the city of Philadelphia providing for the furnishing by contract of labor or for the erection of buildings, the construction of public improvements, the cleaning of streets, the removal of refuse, including the proper method of carting ashes and garbage, etc.; the furnishing of water, gas, electricity or transportation facilities or the performance of any other work, or the furnishing of any other supplies of any kind or nature for the said city.
>
> To obtain the prompt prosecution of and just punishment of all persons guilty of violating contract with said city, or of peculations from the funds either directly or indirectly.
>
> To investigate municipal affairs in the city of Philadelphia and obtain and disseminate information in relation thereto, to aid the officers of departments of the city by advice as to the methods of municipal work, to frame proper legislation in regard thereto and to aid in the inauguration or conduct of movements for municipal reform and generally for such purposes as will contribute toward the improvement of the governmental conditions in the city of Philadelphia.
>
> To assist in any special movement in the investigaton of any department of the city, including frauds against the election laws and in any other public service that they may deem proper.
>
> To further the immediate adoption by the city of Philadelphia of a wise, clear and accurate system of bookkeeping and accounting, including as a feature thereof the frequent publication of lucid statements as to the financial condition.
>
> But it is my will that the funds at the disposal of said board shall never be used to further the interests of any political party or to secure the election of any officer of the municipal government or for any similar purpose.

The will provides for a board of seven trustees, one member being selected by each of the following institutions: Franklin institute, law association, college of physicians, city club of Philadelphia, board of trade, the university of Pennsylvania, and the board of city trusts.

The intent of such a bequest is so praiseworthy that one is tempted to withhold all critical comment. It would be unwise, however, to ignore the danger of serious overlapping unless the trustees of the fund interpret their trust broadly and in a spirit of intelligent co-operation with existing agencies. There are, for example, in Philadelphia a highly efficient bureau of municipal research and a voluntary organization known as the committee of seventy which has long performed an invaluable public duty in enforcing the election laws and in prosecuting perpetrators of election frauds. These two organizations are already doing some of the work stipulated for the new Harrison foundation. The waste of duplicating this work is so obvious that the Harrison trustees may be expected to concentrate their efforts chiefly on such duties provided for them as are not already being discharged efficiently by others.

The wisdom of such a course is reinforced by the fact that the income from the Harrison fund will not be sufficient to support adequately all of the work indicated for the trustees. By proper co-ordination with other agencies, however, the Harrison foundation can be made an instrument of value to the city of Philadelphia.

*

Success of Commission Government in New Jersey Cities.—Observers of New Jersey politics who are interested in the progress of commission government in cities declare that the last municipal elections justify the claim that the commission form has made non-partisan elections possible. In Hoboken a Republican factor failed to turn the election on party politics. In Bayonne the water issue was the pivotal point. In Trenton also the voters refused to listen to party politicians, and, despite the fact that the city is Republican, re-elected the five commissioners, of whom three are Democrats. In the other elections involving commission government, namely, in Passaic, New Brunswick, Asbury Park, and Bradley Beach, fitness for office counted more heavily with the voters than did party affiliations.

*

Practical Civics for School Children.—A unique feature of a campaign conducted by the chamber of commerce of Mahanoy city, Pennsylvania, for creating a civic spirit, is a contest among the school children for suggestions of a popular, descriptive name for the city. Prizes for the best suggestions are offered. The chamber of commerce recently sent a questionnaire to high school pupils asking them what vocations they expected to pursue, whether they intended to remain permanently in Mahanoy city, and if not, why; what the chamber should do to assist them in preparation for their life work, and what it should undertake for the improvement of Mahanoy city. The ideas elicited fully justified the effort. Such work is effective as citizen training, and also arouses the civic interest of parents and of the public generally.

III. JUDICIAL DECISIONS

Franchises.—The United States supreme court, Mr. Justice Day, delivering the opinion, in *Columbus Railway Power and Light Co.* vs. *City of Columbus*[1] decided that under the laws of Ohio the ordinances of Columbus granting a street railway franchise for a fixed term which were accepted by the company became a binding contract, the obligations of which the company cannot escape from because of increasing operating expenses and labor costs. That operation was becoming unprofitable, was not convincing, especially in the absence of evidence that further operation under the contract was impossible or even that the completion of the entire term of the franchise would be unremunerative. Among other things the court said "equity does not relieve from hard bargains simply because they are such."

Billboard Ordinances.—The suits by the St. Louis Poster Advertising Co. against the city of St. Louis and others were filed, one in the state court and the other in the federal district court. The Missouri supreme court[2] gave an adverse judgment on the first and in the second the bill was dismissed. The ordinance complained against was passed on April 7, 1905. It permits no billboard of 25 feet square or more to be erected without a permit and none to extend more than 14 feet high above the ground. Moreover the ordinance requires 4 feet between the lower edge and the ground; forbids an approach of nearer than 6 feet to any building or to the side of the lot, or nearer than 2 feet to any other billboard, or more than 15 feet to the street line, and with qualifications requires conformity to the building line. No billboard is to exceed 400 square feet in area. The fee for a permit is $1 for every 5 lineal feet. The objection was that this ordinance was contrary to the fourteenth amendment in various respects. Mr. Justice Holmes delivered the opinion of the court, holding that the restrictions in the ordinance are not unreasonable nor unconstitutional limitations of the liberty of the individual or of private property and land; that billboards may properly be placed in a class by themselves, citing, *St. Louis Gunning Adv. Co.* v. *St. Louis*[1] that restrictions may be put on billboards even though danger from fire and wind may be eliminated by good construction; that the city may discourage billboards by a high tax and that the companies' contracts for advertising, although entered into before the passage of the ordinance, are subject thereto as against objections to its incidental effect upon them. The court said also "possibly one or two details, especially the requirement of conformity to the building line, have esthetic considerations in view more obviously than anything else. But as the main burdens imposed stand on other ground, we should not be prepared to deny the validity of relatively trifling requirements that did not look solely to the satisfaction of rudimentary wants that alone we recognize as necessary."[2]

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[1] 39 Sup. ct. Rep 349.

[2] 195 S. W. 717

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Service at Cost Plus—The Massachusetts supreme court in April gave a very important opinion[3] to the general court to the effect that senate bill 54 and house bill 722 were constitutional. Senate bill 54 abolished rates of fare on the Boston elevated system large enough to pay the cost of service, the balance to be made up out of general taxation and house bill 722 aimed to reduce fares on the company's lines by payment to it by the state of an amount equal to the rentals the company was paying for the use of subways. Chapter 159 of the special acts of 1918 by which the state took over the Boston elevated system for operation for ten years was also held constitutional as dealing with a matter of public interest, the means of public transportation. The court said "we are of the opinion that the public as a body has a concern in the continued operation of the Boston elevated railway, by the trustees, appointed by the governor, in a safe and practical manner adequate to the needs of those who travel. If the rational way to accomplish this result is an assumption by the public of a large part of the expense so that the burden of operation shall not fall alone upon the share-holders but also in part upon the cities and towns using the service in the way provided in the proposed bills, that is a public purpose. It was an inducement to stockholders to continue an otherwise losing and possibly confiscatory investment."

*

Sunday Baseball.—The court of appeals of Maryland in *Levering* v. *Williams*[4] decided that a city ordinance forbiding baseball and other games on Sunday unless no admission fee was charged was void as being in contravention of the state law, prohibiting work of bodily labor on Sunday and that an order of the park commissioners following the passage of this ordinance permitting games to be played in the parks on Sunday from 2 to 7 p. m. was subject to a mandamus compelling the park commissioners to comply with the law.

*

Mayoral Appointments.—In the case of *Waldron* v. *Rowe*[5] the New Jersey supreme court held that an act of 1907 providing that appointment of city officers and employes by the mayor shall expire with the mayor's term and their successors shall be appointed by the incoming mayor, vests the mayor with appointing power of undivided responsibility and his appointments need not be approved by the council under the acts of 1873 and 1881. The question was which of two men was the *de jure* city auditor of Newark and the court decided in favor of the incoming mayor's appointee and against the holdover incumbent.

*

Tax Exemption.—The Maryland court of appeals recently held in *Broadbent* v. *Baltimore*[6] that the owner of a factory who has leased it to another for a stipulated rental and is not engaged in the manufacturing business is not entitled to a tax exemption on manufacturing machinery under the ordinance of 1912, authorizing the appeal tax court to abate the taxes on such equipment. The court felt that the ordinance was drafted to encourage manufacturing and that the appellant in the case had ceased to take the risk of the business when he accepted the rental from the lessee who had in turn accepted the risk.

Robert E. Tracy.

[1] 235 Mo.

[2] 39 Sup. Ct. Rep. 274.

[3] 122 N. E. 763.

[4] 106 Atlantic 176.

[5] 106 Atlantic 212.

[6] 106 Atlantic 250.

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VIEWS AND REVIEWS

I

In this issue we consolidate with *Equity*, the happy little quarterly which Charles Fremont Taylor has for over twenty years issued as his personal organ from a quiet little office in Philadelphia. Primarily *Equity* was devoted with passionate faith to the initiative, referendum and recall, and Dr. Taylor has been the faithful librarian, historian and fact-gatherer of that movement. He never appeared in the field or fought campaigns and his research was mainly conducted by patient correspondence but every fight on these issues drew heavily upon his stock of ammunition and often on his funds. His was a modest and gentle flame but unwaveringly steady.

We become the heirs of his subscription list, his "good will" and his stores of information. We do not engage to promote or propagandize for the initiative, referendum and recall as he did, but we engage to create a committee with paid secretarial help to carry on systematic observation of these devices as now well-established features of our politics.

II

Several new party standards are to be spread hopefully to the breeze for the 1920 national election. There is a committee of forty-eight whose ambition is to establish a new Liberal party, another group who plan a Single tax party and a group of labor leaders who plan a Labor party. John Spargo had a National party a while ago and our history is full of similar attempts—all futile. The near-success of the Progressives is the exception that proves the rule, for that was rather a party split. There is no country in the world where new political ideas are so quickly and easily disseminated and brought to success; yet we never do it via a third party.

The fine effort and high purpose in these new parties could be conserved and turned into more hopeful channels if their leaders comprehended that our Democratic and Republican parties are not parties in the European parliamentary sense, but are essential and inseparable parts of our structure of government just as definitely as if they were written into the constitution. Their inconsistency of principle has often been pointed out. "What is a Democrat?" meets a fair retort in "What is a Republican?" The two parties stand in national and local elections as regardless of principles as do the institutions of direct primaries or the recall which they resemble in being mechanical. The election machinery of the constitution and the law does not reach to the people but a large gap is left which the private Republican and Democratic political machinery fills in a rough and ready unofficial fashion. The regulation of this machinery by law, making it increasingly official, is sound doctrine under the circumstances.

III

Two basic differences in our government as compared with foreign democracies account for this situation. One is the long ballot which develops the necessity for highly-organized ticket-making to a point far beyond the capacity of volunteers or amateurs. The other is the unwieldly district, the electoral unit which is so large that by mere size it balks all efforts save those of the professional standing political machines to convass it.

A new party to succeed must be prepared not merely to write a platform and nominate president, congressmen and senators, but to meet the merely mechanical tasks of getting the names of its candidates on the ballots under forty-eight state laws, of carrying visible demonstrations of its campaign to every hamlet, of organizing a military nucleus in 3,000 counties and of nominating governors, state treasurers, aldermen, county clerks and coroners. Hearst apparently did not have money enough even to get his Independence party on the ballot generally throughout the country. The Progressives hooted at Timothy Woodruff, the Republican boss of Brooklyn, when he turned up at their state convention, yet it was the presence of such veterans with their captains and mercenaries that alone made the new party dangerous. If the Progressive party had become permanent, the Republican party would have automatically disappeared. Anybody can organize a noise but the sheer mechanical drudgery of creating and operating the necessary unofficial machinery of nomination, campaign and election balks every effort to go beyond the essential minimum of two parties.

City reformers learned this lesson long ago and in large municipalities third parties are now exceptional. The Farmers' Non-partisan League is just as genuinely a party as any that the 1920 dreamers could desire, yet every member of the North Dakota legislature has been elected as either a Republican or Democrat and the league's name is not on the ballot. The Socialists could probably have a real delegation in the house of representatives if they were willing to have them go as nominal Democrats and Republicans. The Prohibition party was a joke but look at the anti-saloon league!

IV

In municipal politics too little attention has been given to the political possibilities of the principle of the reform club within the party. The Brooklyn Young Republican Club has been a real factor in local politics for two generations. Its fees are nominal and its headquarters simply a hired meeting room. Members must be enrolled Republicans and free of machine domination. Nomination to public office automatically terminates membership. The club members under trained direction can be mobilized in pivotal district caucuses and committees, where, working with honest purpose, they can easily gather up allies from those who would otherwise be passive and unwary. They lead the party in its civic program, put vigor into its platforms and occasionally kick over the traces in a revolt that has real power because they are all straight Republicans. In pressing for progress they are sure of a better reception from the political machine than any non-partisan group.

Richard S. Childs.

"EQUITY" IS CONSOLIDATED WITH THIS MAGAZINE

REMARKS BY DR. TAYLOR TO "EQUITY" READERS

THE disappearance of *Equity* as a separate institution by its amalgamation with this magazine calls for a few remarks. Kindly pardon the unavoidable use of the pronoun "I."

I

Equity came into existence in this way: At the close of the exciting presidential campaign of 1896 I did not feel that the money question was settled. I would have felt the same if Mr. Bryan had been elected. I felt that there was urgent need of more fundamental study of that and other public questions. I planned a series of monographs to be called Equity Series. In preparing them I had the valuable assistance of Prof. Frank Parsons[1] and others.

The first of these was "Rational Money," in which the multiple standard for currency was advocated. Then came "The City for the People,"[2] "The Land Question from Various Points of View," "The Telegraph Monopoly," "The Organization and Control of Industrial Corporations," "The Elements of Taxation," "The Story of New Zealand," "The Railways, the Trusts and the People,"[3] etc. It is well known that such undertakings never pay their own way, and that they also involve a great deal of hard work.

After some years of this kind of work I became impressed with the fact that a great deal more attention was being given by students and publicists to economic questions than to the methods and processes of government; and I became convinced that the placing of improved methods into constitutions and charters is important in the highest degree.

II

In the early '90's I was associated with Mr. Eltweed Pomeroy[4] and others in the promotion of what we then called "Direct Legislation." I finally became convinced that the installation of the instruments of democracy, the initiative, referendum and recall, into state constitutions and municipal charters was the most important thing in my knowledge. I therefore deliberately determined to make the promotion of this form of fundamental democracy the chief object of my life.

The second chapter of "The City for the People," a long one, 132 pages, was devoted to "Direct Legislation." It was written in Prof. Parson's happiest and most convincing style. I had this chapter reprinted as a separate monograph and used it extensively for propaganda purposes. It was easily the best work on the subject at that time, and in spite of reprintings all the copies have disappeared long ago. This became one of the books of Equity Series. I then determined to continue the publication as a quarterly magazine devoted to fundamental democracy. But a quarterly magazine cannot well be called a "series"; so that word was dropped from the title, leaving *Equity* as the name of the magazine.

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[1] Since unfortunately deceased.

[2] Perhaps the most successful of the series—a book of nearly 600 pages, the price of which was only 50 cents, paper cover; $1 in cloth. Now unfortunately out of print, though 7,000 copies were printed.

[3] All here mentioned are still available except "The City for the People." All in paper covers only; 25 cents each, the Railway book being in two parts, 25 cents each; with the exception of the "Story of New Zealand" which is a large cloth bound book, price $3. C. F. Taylor, 1520 Chestnut street, Philadelphia.

[4] Then of Newark, N. J.; now of Donna, Tex.

I discontinued and discouraged the use of the expression "direct legislation." Our opponents found it easy to charge that we believed in legislating directly, thus supplanting representative government. We believe that legislation should be done by legislative bodies; but we also believe that the acts of such representative bodies should be subject to control by the referendum upon demand of a reasonable number of the represented voters, and that the voters should reserve the right to initiate legislation independent of the legislative body. Voters do not elect legislators for the purpose of surrendering their rights to these elected representatives. Voters elect representatives to perform certain functions, for which they are supposed to be specially qualified by integrity and superior knowledge and ability. When their acts show that they do not possess these qualities, why should the voters be bound? Why should the voters not have a right, in a specified orderly and legal way, to revise the acts of their agents, and also to do for themselves what their agents fail to do? And if the voters should find that they have elected an unfaithful or incompetent executive or administrative officer, should they not have the right, in a specified orderly and legal way, to recall him from office upon such discovery?

If anything is "fundamental" in our political life, the above certainly is. It would seem that it would appeal to every fair mind and meet ready adoption. On the contrary it has met crafty opposition; but by dint of battle it has made substantial progress, as we shall see. I cannot here attempt to tell the story of the deeds and personal sacrifices of the many workers for this fundamental democracy in many parts of this great country. To mention any would be an injustice to all the rest. My heart has often filled with admiration for and gratitude to them.

The results of all these years of propaganda are: The state-wide initiative and referendum are in the constitutions of 19 states; the state-wide referendum is in the constitutions of 2 additional states; the state-wide recall is in the constitutions of 9 states; 22 other states have general or special laws providing for the municipal use of one or more of these instruments of democratic control. This leaves only four states (Vermont, Rhode Island, Delaware and Indiana) that have thus far given no recognition to them.

The battle for fundamental democracy goes bravely on. In the summer of 1917 it was concentrated in Massachusetts, where the constitutional convention in Boston discussed the initiative and referendum amendment (with the exception of a few days given to other subjects) for a period of sixteen weeks (from August 7 to November 28)! This was one of the most notable and prolonged political debates that ever occurred in the history of this country. A report of this debate has been published by authority of the convention, and it makes a volume of over one thousand pages! This debate, followed by the victory for the amendment in the convention, and its adoption at the polls in November, 1918, may be said to have settled this question as far as debate and subsequent voting in the light of the ablest argument on both sides can settle a proposition.

The further significant fact that the instruments of democratic control have been in the model charter of the National Municipal League for some years suggests to me the question, has not the battle been won? The momentum cannot be stopped. The propaganda period has passed. It now only remains to keep these instruments to the front as among the accepted improvements in the process of self government. This the National Municipal League and its splendid journal are now doing and expect to continue to a greater extent than formerly. So the continued existence of *Equity* for this purpose is no longer necessary.

III

The meteoric rise of the commission plan of municipal government showed us all a new thing: the importance of improving our plans of organization. The commission plan was a vast improvement over the old plan; adding the initiative, referendum and recall to the commission plan was another vast improvement; and the "manager" modification of the commission plan was another great improvement. These improvements also shortened and simplified the ballot.

Democracy (that much abused word) should be given a broader meaning than we have given to it in the past. It should mean, and let us say that it does mean, the achievement, or all the means to achieve, just and efficient government by the governed.

According to this definition the plan of organization is really the first step in achieving democracy. And while representative bodies should be truly representative of the different groups of voters in proportion to their size, proportional representation is essential to democracy. But always the voters should have the right of final control of legislation by means of the initiative and referendum, and control of officers by means of the recall. The ideal is that legislators should always represent their constituents so truly that the voters would never have occasion to take direct action; and that other officers should do their work so well that the voters would never have occasion to use the recall. But these are primary rights that should be in every municipal charter, every state constitution, and finally, in some safe and workable form, in our national Constitution.

I have devoted much space in *Equity* to the improvements in municipal government resulting from the changes in plan of organization above noted. And I have given much attention to the importance of somewhat similar changes in plan of organization for state government. Indeed, I have made this a major subject in many issues of *Equity* for some years past, and I intended to make it my chief interest until the reorganization of state government (one house legislatures, responsible executive, short ballot, etc.) had gotten a good start. But the National Municipal League expects to take up the matter of state government and make its journal an aggressive organ for a much broader program than municipal government, striking evidence of which we have seen in recent numbers. Then why should not *Equity* combine its efforts with those of the broadened League journal? Indeed, there is every reason why this should be done.

IV

I have been a modest member of the League for many years. I have felt it my duty to work hard in my own way for fundamentals which made a much stronger appeal to me than to the League. The facts and reasons given above make it plain that there is no longer occasion for separation of effort, and I am very glad to discontinue my separate efforts and co-operate to the extent of my ability for the continued promotion of fundamental democracy and the larger program of the League and its journal.

I hope that the broadened League journal will, sooner or later, cast an eye toward our national government, and note the need of the presidential item veto, an executive budget,[1] etc. Doubtless the improvements in processes of government being made in the smaller political units will finally find their way up to the national unit. Already there is a demand in influential quarters for submission of the League of Nations, or the entire treaty, to a national referendum next year. If that should be done, it will be a striking demonstration of an enlarged use of the referendum.

A word regarding the international field of government. When the war began in 1914, I was in Sweden, and was held there for several weeks awaiting opportunity to return home. There, without reference books, I wrote a proposed international constitution, the first that I have ever known to be actually put on paper, though there have been plenty of them since. I published this constitution in October, 1914, *Equity*, and since then I have given large attention in *Equity* to international organization. This portion of *Equity* will have to be sacrificed, for I cannot expect even the broadened National Municipal League journal to take it up. But there are other publications in this new and rapidly growing field, and the treaty including the League of Nations covenant has been signed.

But I must have a few parting words with *Equity* readers on this subject. My editorial, "Wilson and the League," beginning on page 55 of last *Equity* (April) has been both praised and criticised more than any other from my pen for a very long time. I wish to make it very plain that my criticism was confined only to President Wilson's choice of peace delegates. Not that the personnel was objectionable, but ignoring the senate invited its opposition; and the selection of more representative men would have inclined the sentiment of the entire country more favorably to the League of Nations. Mr. Wilson was only guilty of bad politics. His own services in Paris have been of inestimable worth.

As to the League covenant, I think it is the charter of future peace and expanded international life. We in this country who know how we had to climb through our continental congress and the articles of confederation up to our present Constitution, which has been amended so many times, in order to get our present interstate government,—we who know all this so well ought to know that this covenant is a good start toward an international organization which will be able to manage international affairs without war, and immeasurably better than they have been managed in the past. It would be an incalculable calamity if this opportunity for improved world conditions should be rejected.

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[1] The July REVIEW makes a start in this respect, by admitting an excellent article on the national budget (beginning on page 360), with editorial explanation of the break in precedent on pages 335–6.

As to the treaty itself, I indorse it. I cannot agree with those in this country, England and France who criticise it. I do not think it is too hard on Germany. The Peace Conference had at its command competent talent to assess Germany's ability to pay. President Wilson says that Germany can fulfill the terms of the treaty, and he has been in excellent position to know. If Germany can fulfill them, the terms cannot be unjust, for Germany owes far more than she can ever pay.

A word about article x of the League covenant, that is held up as such a terrible thing by the hold-backs in the senate and elsewhere. The first thing to do with article x is to read it; which perhaps 99 per cent of those who have been led to think it such a dreadful thing have not done. It is brief, simple and direct. Simply this:

ARTICLE X

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

Could any league, confederation or federation do less for its members? Our articles of confederation touched this subject in several places; for example, in article iii: "binding themselves to assist each other, against all force offered to or attacks made upon them, or any of them," etc. Our constitution has it in article iv, section 4: "and shall protect each of them against invasion"; etc. The constitution of the league of German states constituting, or which did constitute, the German Empire has it in the preamble thus: "an eternal alliance for the protection of the territory of the confederation," etc. The Swiss constitution, article 5, says: "The confederation guarantees to the cantons their territory," etc. What would the League of Nations be without article x?

This does not mean that all present boundaries are irrevocably fixed for all time. It means that they shall not be changed by "external aggression." And when so guaranteed by the twenty-one signatories to the covenant, what "outsider" is there left in the world that would have the temerity to trespass on territory thus protected? The claim of the opponents that this article will breed war is—shall I say it?—ridiculous. It must be plain to anyone who can think that this article tends strongly to the prevention of war.

I would like to write many pages on the great international issue that is now before the world, but I must not trespass further on the space of a magazine which does not touch this field. This is just a little last word on this subject to readers of *Equity*.

This magazine will be sent in generous proportion to readers of *Equity* whose subscriptions have been paid in advance of this date.

Adieu!

CHARLES FREMONT TAYLOR.

ELECTRIC VOTING IN THE WISCONSIN LEGISLATURE

BY EULOGIO B. RODRIGUEZ

Mr. Rodriguez is one of four graduates of the University of the Philippines who recently were sent to this country for training in legislative and municipal reference library work. :: :: :: :: ::

THIS electric voting machine is a time-saving device invented by Bornett L. Bobroff of the Universal Indicator Company of Milwaukee, an "instantaneous, automatic electrical system of recording votes, to eliminate the long, tedious, and time-consuming roll calls necessary" in any legislative body. It has now been in use for two sessions in the assembly of Wisconsin.

The system is practical, simple, efficient, accurate, easily understood. Each member of the assembly, sitting at his desk, may instantly record his vote "aye" or "no" upon any question submitted to the assembly. A bulletin board, where the names of the members of the assembly are alphabetically arranged, is placed at the east gallery of the session hall, with red, blue, and white signal lights opposite these names. This board, by means of an electric device, is connected with press buttons at the desk of every legislator. When voting or roll call is announced by the speaker, the chief clerk turns on the switch at his desk making the system ready for use. Then the members first unlock their own voting boxes, and by pressing the button, one for "aye," two for "no," and three for "present," cause the signal lights on the bulletin board to indicate instantaneously the corresponding color: "red" for aye, "blue" for no, and "white" for those who vote present. Thus at a glance, the audience and every member knows exactly just how every member casts his vote. Without reference to the board, each member can tell how his vote is recorded by looking at the little indicator window in the box at his desk where appears the letter Y, or N, or P, for "yes," "no," or "present." After allowing the time necessary for voting, the speaker declares "the roll call is closed." Then the chief clerk locks the device at his desk, which closes the vote, and the total number of "ayes" and "noes" are automatically shown and recorded at his and the speaker's desk by two indicators. Then the speaker announces the result of the vote. Every member can make any number of changes until the vote is closed by simply clearing his vote and recording anew as he may desire.

Immediately behind the bulletin board in the gallery, a permanent photographic record of the names of the members with their respective votes Y or N or P is made, and the record is later inserted in the proceedings of the legislature.

This system prevents the mistakes or errors resulting in the vocal roll call due to faulty hearings of responses of the legislators. It avoids the mistakes in transcribing and adding the votes. No one can entertain any doubt as to the accuracy of the total votes cast on each side. It is as accurate as an adding machine. The chief clerk is the only one who controls this machine.

VALUE AS TIME-SAVER

According to my own observation it takes from 20 to 45 seconds to permanently record and count the votes.

This automatic system of recording of votes saves 99½ per cent of the time previously consumed in roll calls. Speaker Clark says on this subject that in a long session of congress it requires two months, or it consumes this much time, in the mere performance of calling the roll. To call the names, and check the oral responses of each one of the 435 members of the house of representatives, consumes an average of 45 minutes, and more time is wasted whenever there is filibustering in the house, while in the Wisconsin assembly, having 100 members, it takes only from 20 to 45 seconds. It will mean a saving of 60 days every year to the United States congress if this automatic voting machine is used—a saving of heat, light, telephone, telegraph bills, as well as lessening the expenses of labor and service necessary when congress is in session.

In a statement given by one of the Illinois legislators while here observing the session, he said, "It takes you only two hours to do what we do in three days."

This automatic voting machine is a new device and Wisconsin has the honor of being the first in the world to use this system.

EXPERT COMMENT ON THE GOOD NATIONAL BUDGET BILL

In our July issue we published Representative Good's budget bill with an explanation by W. F. Willoughby of the Bureau of Government Research. Following are comments thereon by technical authorities. :: :: :: :: :: :: :: :: ::

I

BY R. E. MILES

Director, Ohio Institute for Public Efficiency

THAT the Good budget bill (H. R. 1201) will, if passed, lead to an improvement in the financial methods of the federal government will be questioned by few, if any, students of the subject. I assume, however, that reviews are requested rather on the question whether the bill is the best possible one under present conditions.

I have nothing but favorable comment on the greater part of the bill. Its placing of responsibility on the President for presenting to congress comprehensive recommendations as to revenue and expenditures, and providing him with a staff agency with which to meet that responsibility, cannot but prove a distinct advance.

With what Dr. Willoughby calls the third phase of the budget, however, it seems to me that the Good bill is not in accord either with proper theory or with Dr. Willoughby's own previous statements. The bill undertakes to establish an accounting department which shall be as independent as possible of both the executive and legislative branches, particularly of the former. The functions of this department are indicated as including the settlement of all claims and accounts (amendment of R. S. section 236).

Under American constitutional law, both state and federal, theory would seem to me to require the view tha while it is a legislative function to authorize the imposition of taxes and other means of raising public revenues, and to authorize their expenditure, the actual collection of authorized revenues, the custody of public money, and the disbursement of these funds as authorized, belong to the executive branch. This view is apparently quite in harmony with Dr. Willoughby's previous statements in the book of which he is the principal author, "The System of Financial Administration of Great Britain." Here he declares that proper budgetary practice requires:

"The organization and operation *by the executive* of a machinery and procedure for the collection of revenue and for the sale of credit obligations." (Page 2.)

"The organization and operation *by the executive* of an administrative machinery and the adoption of rules for procedure to govern the expenditure of the sums placed at its disposition, which machinery and procedure shall provide for:

"The examination and adjudication of all claims against the government and certification for payment of those found to be valid;

"The organization and operation of a system through which the sums so found to be due will actually be disbursed." (Page 4.)

The Good bill, however, through its amendment of R. S. section 236 noted above, seems to follow the British practice in regarding the public funds as being in the custody of the legislature, whose representative must, therefore, scrutinize all claims before payment. As this is not consistent with American theory, it would seem that the accounting department, with the comptroller-general at its head, as outlined in the bill, should be definitely an *executive* department under the control of the President.

As Dr. Willoughby points out in his book, however, it is necessary to provide for an audit of both revenue and asset, liability, and expenditure accounts by an officer *independent of the executive.* This audit should, in my opinion, be made by an auditor-general, entirely dissociated from the comptroller-general, appointed by congress, with full powers of investigation and required to report to congress and to co-operate with its committees. He should have no administrative function whatever, either in the collection, custody, or disbursement of funds. His function should be solely that of the independent auditor. His audit may be current, if desired.

By such an organization, once certain authorizations have been granted by the legislative body, there is no division of responsibility as to the administration. On the other hand, there is a double audit provided, which appears to be lacking under the organization proposed in the bill.

The most logical plan, if it could be brought about, would seem to me to be as follows:

1. Substitution of a secretary of finance for the secretary of the treasury as a member of the President's cabinet.

2. Appointment by the secretary of finance of a comptroller-general as head of the accounting bureau.

3. Appointment by the secretary of finance of a treasurer-general who would be charged with the custody of all public money.

Both of the last appointments should be in the classified civil service without confirmation by the senate. They should be expected to hold their positions without regard to change of administration affecting the secretary of finance.

4. Appointment by congress of an auditor general responsible to it, through a committee, if desired, similar to that proposed on receipts and expenditures.

5. Establishment of a bureau of the budget, as a staff agency of the President, as contemplated by the Good bill.

It is impossible in this review to discuss these suggestions in detail, but the general plan is perhaps sufficiently indicated.

II

BY LENT D. UPSON
Detroit Bureau of Governmental Research

THE friends of budget legislation for the United States, in Congress and out, can probably be induced to support the bill introduced by Mr. Good, even with its shortcomings.

The group that believes in a so-called "executive budget" with legislative freedom curtailed as in Maryland, and in the proposed constitutional amendment for Ohio, will apparently concede that the Good proposal is all that can be materialized.

On the other hand, the proposed bill can also be accepted as a good beginning by those who believe that the executive should prepare a financial program upon which he is willing to stand before the country, leaving the legislature to discuss and modify any serious omissions or inadequate support.

Both political parties in their most recent platforms are pledged to budget reform. Therefore the President has been frequently urged not to wait for legislative action, but to send to congress through the treasury department correlated estimates of the departmental needs. In such manner General Lord correlated the large and diverse estimates of the War department before submitting them to congress.

This correlation of estimates, correcting one defect of our appropriating system, is practically all the present bill proposes,—and is a highly desirable step.

To be sure, some provision is made for inspection of expenditures by congress through a comptroller-general, logically responsible to the legislature, but there should be small political opposition to that innovation.

There then remains the whole treatment of the estimates by congress,—a matter not dealt with in the proposed bill. In the senate and the house there are nearly twenty committees considering and reporting out appropriation bills independently of one another. More than ten other committees report out measures requiring that appropriations be reported by other committees.

This is a second and more fundamental defect of our present system,—and the one most difficult to change. It is hardly conceivable that twenty-nine congressional committees will willingly surrender prerogatives having to do with the distribution of public funds. It is reasonable to believe that such a change will come only after emphatic pressure has been exerted back in the districts.

In the mean time there should be no confusion in the public mind. Valuable as the proposed legislation is, it will be bought at a stiff price and ten years of propaganda work will be undone if the public erroneously believes that this bill forthwith accomplishes all ends!

III

BY THOMAS R. LILL, C.P.A.

Late Chief Accountant and Acting Director of President Carranza's Financial and Administrative Reorganization Commission

The Good bill is one of a number now pending in congress which seek to modify the existing budgetary practice of our government. The essence of the bill is that it requires the executive department of the government to submit to congress in one complete document a budget consisting of an estimate of the cost of operating the various departments of the government for the next fiscal year, together with an estimate of the revenues to be received.

In addition to providing for a budget, the bill reorganizes the accounting machinery of the government so that congress may have correct information as to whether the funds voted by it have been expended for the purposes authorized.

Opinion is unanimous that these two reforms are necessary for the better administration of our government, but there is a considerable difference of opinion regarding who should prepare the budget, the form in which it should be stated, who should submit it to congress, and how it should be handled in congress.

The Good bill "requests" the President to transmit a budget to congress and requires departmental estimates to be submitted to him instead of to the secretary of the treasury as is now the custom. A bureau of the budget is created in the office of the President to assist him in the work of preparing and revising the budget.

It is said that the purpose of this move is to place the responsibility where it belongs, and to eliminate friction between departmental heads which will occur if one cabinet officer revises the estimates of another.

"Fixing the responsibility where it belongs" is a pleasant phrase. As a matter of fact the responsibility has always been the President's. When the secretary of the treasury submits the book of estimates, the President who appointed him is responsible. Has the President no responsibility in connection with the acts of Postmaster General Burleson for instance?

In practice, the President, since 1908, has called his cabinet together to consider departmental estimates before they were forwarded to the secretary of the treasury.

The writer is of the opinion that the secretary of the treasury should prepare the budget. He is, or should be, the financial expert of the government, and, because of the nature of his duties, possesses the fullest information.

REVISION OF ESTIMATES

The language of section 4 of the Good bill indicates that it is to be the duty of the President to revise the departmental estimates before they are submitted to congress.

I can see no reason why the secretary of the treasury should not revise departmental estimates to the extent of indicating the amount which he thinks should be allowed by congress. If it is once established that it is his duty to do this for the President, departmental heads will not strongly object. It works well in practice, since a department head will usually take up with the secretary of the treasury proposed increases in existing services or amounts needed for new activities. If he cannot get the secretary of the treasury to agree to his program he can appeal to the President.

In any event, the original departmental estimates should be presented to congress as a part of the budget. That is, the budget should show in columnar form the following:

1. Amount requested by the department.
2. Amount recommended by the executive.
3. Amount granted by congress.

To act intelligently, a legislator must know what the operating head is planning to do. He should know whether the amount recommended by the executive is more or less than the amount asked for by the department head.

ALTERNATIVE BUDGET

The authorization granted to the President to submit an alternative budget is hardly necessary. He is already possessed of constitutional authority to do this if he so desires.

BUREAU OF THE BUDGET

If the duty of collecting and preparing the budget is placed upon the President, he will need such an organization. Whether it should have the power of investigation is a matter that should be considered in connection with the establishment of the office of comptroller-general, which must, to be effective, have such power.

Should two new agencies be established with the right to investigate government departments? The writer has lately completed the organization of the office of comptroller-general in Mexico, and whenever information was desired by the President or congress regarding the needs of a department, the information was easily obtained through the comptroller.

COMPTROLLER-GENERAL

This measure is one of the most important ever proposed in our government, and one of the most necessary. It might well be made the subject of a separate bill.

Instead of endowing the comptroller with the indefinite powers and duties now conferred or imposed by general and special provisions of law, it may be well to consider whether existing laws should not be studied, codified and embodied in a new law.

IV

BY FREDERICK P. GRUENBERG

Director, Bureau of Municipal Research of Philadelphia

THE Good budget bill seems to me to go as far in the direction of a model budget system for the United States government as could well be gotten through congress at this time. Of the various details and provisions of this bill, the following ones seem to be particularly commendable: Provision for an executive budget without placing restrictions on the actions of congress; providing the President with a staff, the bureau of the budget, whose main function is to assist him in preparing the budget; provision that until congress sets up other forms and details for the submission of the estimates that the President's budget shall be framed in accordance with the forms and details called for by the present laws; provision that in addition to this budget, and as a possible forerunner of the form and content of the budget for which congress will provide, the President may submit what is termed an "alternative budget," framed in accordance with his views as to what the budget should be; provision for an accounting department, absolutely independent of all other departments of the executive branch of the government, whose main functions are to supervise and control action following financial legislation by congress and to make reports direct to congress; provision that unless requested by either house of congress no officer of the executive branch of the government except the President shall submit to congress any estimate or request for an appropriation or any recommendation as to how the revenue needs of the government should be met; provision that the President may submit special and additional estimates whenever in his judgment congress should make appropriations therefor; provision for obtaining relevant information and making special investigations in connection with the budget or the government's finances; abolition of the several offices whose powers and duties have been transferred to the accounting department; provision that all employes in the accounting department and in the bureau of the budget shall be appointed and hold their positions under the civil service laws; the creation of the permanent joint committee on receipts and expenditures of the government, with its powers and rights regarding investigations as to the finances of the government.

As Mr. Willoughby has pointed out, this bill necessarily has avoided dealing with the numerous questions concerning action on the budget by congress. Recognizing that conditions are not favorable to the passage of a bill setting up either a model budget procedure or a thoroughly inclusive one, and realizing the desirability of an initial budget system for the government, the bill is worthy of support by all citizens, and particularly by all who are acquainted with the crying need of marked improvement in the finances of the government.

V

BY H. M. WAITE

Ex-City-Manager, Dayton, Ohio

Anyone who has handled budgets would, I think, fear that this bill lacks detail. However, after reading Dr. Willoughby's article, there is a hesitation in making any criticisms of the Good bill as it must be realized that it is difficult at this time to draft any bill that will meet all the varying conditions and obstacles.

Therefore, the principal and first objects to be obtained are, first, the initiation of the budget principle, and, second, proper control of the budget, and I feel, under the circumstances, that these have been accomplished in the Good bill.

It is apparent that the object at this time should be to get a national budget started and then let its growth follow the natural lines, which, of course, will follow with the advent of the budget system. It will be a big mistake to try and load any bill at this time with details, as with the advent of the budget the details will naturally take care of themselves.

There is, however, one principle which it seems to me is not covered. The formation of a final budget is the natural result of the trimming of original estimates of expenditure to meet the final estimates of revenue. The departmental estimates are made out by the departments. The apportioning of the final allotments to the departments is an executive function. When the final allotments to the departments have been made by the executives, the responsibility of classification of such allotments by the departments should be a departmental function, thereby making the responsibility a departmental one.

THE ST. LOUIS RECALL EFFORT AND ITS AFTERMATH

BY LOUIS F. BUDENZ

Secretary, Civic League of St. Louis

St. Louis has just gone through a valuable municipal experience in the effort to recall Mayor Henry W. Kiel for his mill tax-franchise deal with the United railways company. It furnishes an interesting sequel to the developments in the street railway situation outlined by the same author in the "National Municipal Review" for November, 1918.

I

THE defeat of the proposed compromise traction ordinances in November, because of the public indignation at the company's burglary of the referendum petitions, deterred neither the company nor the city administration from another attempt to impose a similar franchise settlement on the people. In order to prevent the question from going to a referendum and facing its previous fate, a new tactic was hit upon. On January 13, the mayor announced to an unexpectant public, through the newspapers, that the city counselor and himself, together with the board of estimate and apportionment, had secretly entered into an agreement with the company, by which the Jefferson avenue franchise suit would no longer be contested and by which the accrued mill tax would be paid in ten annual installments. The mayor, in his statement, declared that this step had been taken in order to settle the controversy between the city and the company, to remove the cloud from the company's franchises, and to prevent a receivership. A stipulation was added to the agreement, in regard to the Jefferson avenue franchise case, that all other underlying franchises of the company would be extended.

It was strikingly evident that this deal was made solely in the interest of the company. By it all that the company had wished from the defeated compromise ordinances was granted. The benefit of some of the advantageous conditions laid down in the city charter for future franchise grants, and which necessarily had to be incorporated in the compromise ordinances, was omitted. The payment of the mill tax, of which the city was supposed to be assured, was already a finally adjudicated matter. This payment, as the president of the company immediately declared in a public statement, would be made not by the United railways company but in reality by the people in increased fares, which were the only additional surplus revenue to which the company could look under its waterlogged condition. The arrangement itself prevented this latter condition from being dealt with, in attempting to prevent a successful receivership suit. In addition, were a legal appeal to the supreme court to fail—as subsequently proved the case—no other remedy was afforded the citizens except the recall, under which 20 per cent of the registered voters would be required, so distributed as to equal 20 per cent of the voters in each of two thirds of the wards, whereas under the referendum—which would have been invoked had the board of aldermen passed on the measure—only 7 per cent of the registered voters was required (obtained within 60 days) without any distribution provision.

The United railways committee of the civic league, composed of ten well-known men from various business and professional occupations, which had been working carefully on the company's valuation and had found that a fair value could not be much over $40,000,000, made a careful report of the deal, showing its unfairness and proposing legal steps in an appeal to the state supreme court and political steps in the recall of the mayor, the latter in order that a new mayor might be inducted into office who would seek to make the deal impracticable. The committee also pointed out that no settlement of the street railway situation would settle the matter, until the company went through a receivership and had the water eliminated from its bonds and stock and its gross overcapitalization thereby reduced.

II

As a result of this report, the citizens' referendum league began a movement for the recall of the mayor. In an agreement with that body, the civic league pledged itself to financially aid this recall movement and to participate actively on its part in the legal proceedings before the state supreme court—to have the Jefferson avenue franchise end of the settlement set aside. The referendum league, in its work of obtaining signatures to the recall petition, relied entirely on volunteer canvassers, and it was soon found that with the difficult charter provisions which the leagues were facing, it would take an impossibly long time to secure the necessary signatures under this system. Registered voters could be seen, as a rule, only in the evenings and on Saturday afternoons and on Sundays. Workingmen could give but little continuous time to this visitation, and business men less. Accordingly, it was decided that the civic league would actively take up the recall work also, employing paid canvassers for that purpose, the necessary number of names to be obtained if possible by February 18, which under the charter provisions allowed the question to be submitted to the people at the general aldermanic election on April 1. When this decision was reached, only five days remained in which to get over thirty thousand names. In those five days the leagues succeeded in obtaining a total of 41,665 names, submitted to the board of election commissioners on midnight of the required date.

It became immediately evident that three out of four of the election commissioners were hostile to the recall movement. The board is supposedly bi-partisan, but one of the Democratic members, president of the building trades council and recipient of many favors from the local political machine, voted with the two Republican members for an unfair count of the names submitted. It was stipulated, for example, that the special clerks hired for checking should be only such as had not signed the recall petition. Also the rule was established that these clerks, hired at the rate of $4 per day, should pass upon the genuineness of the signatures on the petitions. A deadlock held the board up for several days because of some of the arbitrary rules proposed. When the count was completed, the board certified that but 21,257 names were valid, the rest being rejected, either for non-registration, illegibility, duplication, triplication, or dissimilar handwriting.

The leagues immediately began a

new drive for signatures in the twenty days allowed them by the charter for filing a supplementary petition. This campaign was organized in a thorough manner, teams being assigned to certain wards and precincts, taken each evening in automobiles to the territory to which they were assigned, and furnished the names of the registered voters whom they were to visit. In order to make certain of the genuineness of their work special men were assigned to visit the petitioners a second time and discover if they had really signed the petition. The names were also checked in the civic league office. Over twenty-one thousand names were thus secured.

Despite the care which had been exercised in this second campaign, the board of election commissioners again proceeded to count out the names, finally declaring that only 10,971 were genuine, which with the previous number of names certified made only 1,228 short of the number required. Although the leagues had ascertained that they had received the necessary 20 per cent in at least 21 wards, when only 19 were required, the board of election commissioners declared that 16 wards only had been secured. Chairman Arnold, the only member of the board who evidenced any fair attitude, issued a statement condemning the methods used and refused to certify the findings. On his own initiative, he instituted a re-check of the names and found that of 600 names rejected for non-registration at least 20 per cent were registered. The majority of the board at that point compelled him to stop re-checking. As another evidence of the majority attitude, it was contended that no matter how many names the petitioners secured no recall could be held because technically a recall was not an "election" and the state statutes provided for no appeal to the people except through an election. The attorney-general was called upon for an opinion by the board, but when he reached St. Louis some of the majority members declared that they would not abide by his opinion if it was against their views, and he accordingly refused to render an opinion which would not be respected.

III

During the progress of the recall campaign, many business and professional men called upon Flint Garrison, of the executive board of the civic league and author of the United railways report of that body, to accept the nomination of the Democratic party for president of the board of aldermen. This was based on the idea that if the mayor were recalled the president of the board would be his successor, and the incumbent at that time had not only officially been a party to the mayor's deal but had subsequently approved and disapproved it in such a way that there was much doubt as to how he stood on the question. The Democratic city central committee also unanimously requested Mr. Garrison to run. He consented to do this, on condition that the United railways company and machine politics would be made the issue of the campaign, and that the Democrats would nominate candidates for the school board other than the incumbents whose terms were expiring and who had formed with other members of the board a seven-to-five combine for the spoils system in the schools. Mr. Garrison's conditions being accepted, he was nominated for the presidency of the aldermanic board.

In the April 1 election, despite the undoubted sentiment of the people against the United railways deal and the fact that three out of the five newspapers in the city favored Mr. Garrison's candidacy, the city hall-utility combine was overwhelmingly victorious. This is due to the peculiar political situation which exists in St. Louis, and which showed itself during Joseph W. Folk's crusade against the reign of "boodle" when Colonel Ed. Butler's ticket was elected by an enormous majority in the midst of the disclosures of the universal sale of franchises and other public rights by himself and his henchmen. This condition is intensified to-day by the fact that the Democratic party has been rendered harmless as a minority party by the city charter. The concentration of power places 6,000 city employees under control of the Republican machine, and the election of aldermen at large (with the heavy German-American and Negro vote) makes it practically impossible for the Democrats to secure any offices. Many of those in control of the minority party, therefore, find it to their interest rather to assist the Republicans to victory and to be lesser parasites of the same combine which dictates to the dominating party machine. St. Louis has for years been under the thumb of this combine, which is controlling St. Louis primarily for New York interests. It includes the largest financial institutions of the city, the United railways company, Terminal railroad association, and other like corporations, and has been popularly known as the "Big Cinch." For years the business men of St. Louis have suffered from an arbitrary freight rate on coal imposed by the Terminal railroad association, and have quietly submitted until recently. The development of the Mississippi river has been impeded because of the grip of the railroads on the city. No candidate has been able to succeed in securing the office of mayor who has not had the endorsement of these interests, even Mayor Rolla Wells being supported by them in order that the city would have an efficient administration during the World's fair.

Mr. Wells' administration is generally regarded as the most efficient and independent that St. Louis has had.

IV

The civic league had at first planned to carry the question of the recall count to the state supreme court, but after consideration decided not to do so. The expense of such an appeal would be great, in addition to the $7,000 already expended by the league in the campaign for signatures. Were a mandamus granted, the charter provisions are so loosely drawn that there would be no chance of success whatsoever, no provisions being made for watchers, contests, etc. St. Louis, the league publicly stated, in reality has no recall provision, the so-called recall provision in the charter being a hoax. The ward distribution requirement, for example, is farcically absurd and impossible to meet except by the heroic methods resorted to in this case. This had been previously pointed to by Dr. A. R. Hatton of Cleveland, who had visited the city during the recall agitation. The appeal to the state supreme court on the Jefferson avenue franchise case had previously been over-ruled by that tribunal without a hearing.

V

In the meantime, the receivership proceedings came up before the federal court. When the applicants had established the bankruptcy of the company, in order to prevent the imposition of a hostile receivership, the North American controlling interests initiated a petition of their own under which a friendly stockholder requested a receivership and the company confessed to the necessity for the same. The independent stockholders who had initiated the suit, however, petitioned to have the cases combined and their own suit to receive preference. This the federal judge granted, appointing Rolla Wells, former mayor of St. Louis, receiver, and Charles W. Bates, former city counselor and member of the civic league's first United railways committee, counsel. The results of the receivership cannot yet be ascertained. In as far as it is a fact, however, the contentions of the civic league have been rather quickly upheld, and it should prove a further step forward to final municipalization at a proper valuation. The hearings on the petition have also disclosed a gross waste of company funds. Hundreds of thousand of dollars have been paid out for the "use and benefit of the company," without further itemization. The special agent and legal departments have been a great drain. Suspicious power contracts with subsidiaries of the controlling company were revealed. The president of the company was implicated in the petition burglary and indicted, leading to his resignation and that of the superintendent of transportation, also under indictment. Under public pressure, the Board of Aldermen has pledged $10,000 to the circuit attorney, for a sweeping criminal investigation of the city hall and the utility.

As to the recall attempt itself, the St. Louis *Post-Dispatch* thus editorially summarizes it: "The late effort under civic league auspices to send Mr. Kiel back to private life was worth all it cost and has had fruitful results. The 60,000 petitioners made up one of the most impressive movements of protest against official inadequacy in St. Louis history. Every single allegation put forth as the basis of the movement has been established as true. Charges as to the nature of the Kiel-United railways combine have been shown not only to be accurate, but to be moderately expressed by subsequent exposures of its intent and effect. United railway bankruptcy, which was only asserted at the time the recall was inaugurated, is now a fact. Those who favored the recall, and United railways men and city hall henchmen who opposed it, now stand on common ground in advocacy of the very objects the recall was designed to promote." The paper further asks: "If a pseudo recall device could bring about the chastened spirit and more wholesome atmosphere to be observed at the city hall, what might not be done under the genuine and workable recall device with which St. Louis must provide herself at the earliest possible date?"

PHILADELPHIA STIRRETH

BY FREDERICK P. GRUENBERG

Director, Philadelphia Bureau of Municipal Research

In June, Philadelphia friends of good government, by a prodigious effort, wrested from the legislature important simplification of local politics, notably the abolition of the two-house council of 145, and the substitution of a single-house council of 21. :: :: ::

Absorption in what was transpiring at Versailles did not prevent Philadelphia from applying the self-criticism and constructive impulse of the times to its own local government.

Just as "reconstruction" is used as a shibboleth in every community to cover every needed (or other) program of economic or social action, so has "democracy" become the watchword of political action. In Philadelphia there had long been a feeling of discontent with the antiquated framework of municipal government, and two years ago a number of civic bodies attempted to secure from the legislature the enactment of some twenty measures designed to patch up the defects of the so-called city charter.

The enthusiasm of the legislature's response can readily be measured by the fact that all of the bills died in committee. A quickened sense of political responsibility, however, brought about the organization of a new movement for the legislative session just ended, and it is gratifying to be able to report that a genuine advance has been secured in the direction of more efficient and more democratic city government.

The Philadelphia situation prior to the new charter is by no means easy to comprehend, despite the fact that to the political scientists its organization chart and scheme of government would appear relatively simple—compared, for instance, with Chicago's. The complicating factors in Philadelphia's charter problems are historical and "political," *i.e.*, partisan.

HISTORICAL BACKGROUND

The historical complications would offer no special difficulties had more Philadelphians been willing to recognize frankly that changed community conditions call for changed machinery—that tradition is of itself not a trustworthy guide to action. It is interesting to note that in this hitherto tradition-bound city there is less adherence to "things as they are" than was formerly the case. Perhaps the war explains the change. However, there still remained a large measure of fondness for the old, and this fondness had been consistently utilized by politicians to continue the status quo. To illustrate—when the present city was welded together out of the old city proper and diverse towns and villages, in 1854, compromises were deemed necessary in order to avert opposition from Germantown and other outlying districts. Accordingly, the citizens of Germantown continue to this day to elect their town clerk, and they and five other sections of the city also elect their poor district officials who levy separate poor taxes for the respective "townships," which condition, by the way, it seems the charter revisionists dared not attempt to change.

Under the statute of 1854, known as the "consolidation act," the county government still continued. The city and county are physically coterminous and their finances as well as many other governmental features were partially unified in the consolidation act.

In 1873 Pennsylvania adopted a new constitution, and, in common with all other state constitutions of that period, a considerable amount of statutory matter was written into its new basic law. Among other things, that new constitution continued the practice of election by the people of a number of county officers, so that a Philadelphia voter at a municipal election is supposed to exercise his discretion in the choice of a long list of officers of widely varying functions and responsibilities.

The only important amendment to the "charter" of 1854 was the Bullitt bill of 1885 which was a great advance in the direction of simplified, responsible government. This bill drew its inspiration from the charter of the city of Brooklyn and its primary purpose was to emphasize the separation of the executive and legislative branches of government, and to concentrate power and responsibility in the mayor. Because of constitutional difficulties, the bill made no changes in the county government, nor did it disturb either the bicameral council or the six poor districts. The council continued to have select and common branches, and as the years went by the aggregate membership grew to the imposing number of 145—the largest municipal legislature in the United States. It is largely because of this obsolete and unrepresentative legislative body that the demand for charter revision became so insistent. Its character and workings will be discussed a little later.

The recent charter revision movement attempted very little to affect the powers and duties of the judiciary. Its emphasis was almost entirely on the legislative and executive branches. The local judges (aggregating 29 in the common pleas, orphans' and municipal courts, and 28 magistrates) are elected by the people. Under the existing arrangement the mayor, the heads of two city and nine "county" departments are also elected. There are a number of boards and officials chosen by the common pleas judges, and the heads of the remaining city departments are chosen by the mayor.

The public schools are not under the city government, but are under a board of public education, appointed by the common pleas judges, which board is empowered by law to levy taxes and to conduct the school system entirely independently of the city government. The school code of 1911 which created this independent status has, on the whole, worked well, but there are many demands for improvements in the school management. These demands found expression in movements independent of that for charter revision, so the details will not be discussed here.

The legislative body, which had been unchanged in general form since 1796, was patterned after the usual parliamentary model of an upper and a lower house. The select council consists of one councilman from each of 48 wards, while the common council seats one from each ward for every 4,000 names on the list of assessed voters for that ward, except that each ward has at least one common councilman.

The old ward lines have undergone but few changes, despite the rapid shifting of population, with the result that one of the older wards has a select councilman and a common councilman to represent a population of five or six thousand, while the largest ward has but one selectman and only five common councilmen for a population of not less than 100,000. The forty-eight wards present a wide variety of different populations between these extremes.

Naturally, the above-described permanent gerrymander was resented by every citizen who believes in equitable representation, and as there is no conceivable argument in favor of the existing system, it was doomed to eventual dissolution.

THE POLITICAL COMPLEX

The situation that for a long time prevented the consideration of the charter proposals strictly on their merits is the strife between the two wings of the Republican organization in Philadelphia. This strife has, to a somewhat lesser extent, spread to the state organization.

The local government is under the control of the branch of the organization led by State Senator Edwin H. Vare, opposed to which is the faction led by Pennsylvania's senior United States senator, Boies Penrose. The governor and the majority of the state legislature are generally believed to be friendlier to the Penrose faction.

In Philadelphia the latter group, being the "outs," have allied themselves with various groups of "independents" and "reformers" in attacking the Vare faction, the "ins." When the recent demand for charter revision arose, most of the Penrose adherents were found associated with their former enemies, the reformers. The Vare faction promptly proceeded to brand all the charter proposals as partisan in character and the Vare-controlled city councils passed a lengthy resolution lauding Philadelphia's perfect frame of government and pleading with the legislature and the governor not to disturb the beautiful symmetry of the venerable system.

In the meantime the self-constituted citizens' charter committee had begun to crystallize the existing sentiment in the city in favor of a better charter, and all the newspapers aided the cause. When this sentiment became discernible, the Vare faction skilfully altered their tactics and declared that there was undoubted need for certain changes in the framework of the city's government, but that the charter committee's bills were unsatisfactory. Thereupon they introduced a measure described as one that would "take the police out of politics" and another ostensibly for the purpose of reforming the city's financing. A careful perusal of each of these measures disclosed nothing but perfect red herrings. As a means of confusing the legislature and as a means of complicating the problem of charter revision these measures were well conceived, but no impartial critic could find in them any contribution to the strengthening or bettering of the municipal machinery.

While the proposals of the charter committee were declared, by their Vare critics, to be "tarred with the Penrose stick," the measures were really by no means partisan in character and were drafted by students and specialists, after many weeks of study of the needs, and of the constitutional and other technical aspects. In only one important respect, in the opinion of the writer, did the charter committee succumb to the temptation of nursing the Penrose support. That one matter was in connection with the board of revision of taxes—the tax-assessing body of the city. That unit of the local government had been much criticised by various elements in the community, and many reasons for its reorganization are repeatedly urged, yet certain of the leaders in the charter committee carefully avoided this issue, admittedly lest they offend their political allies.

The merits or faults of the charter bill, it must be conceded, did not determine its passage nearly so much as did the political situation. The Penrosites and the handful of Democrats supported the independents and so got the bill through, but not until Governor Sproul and his attorney-general had dictated a number of important amendments—some as sops to the Vare followers, some of no significance at all, and some that they no doubt honestly believed to be improvements. The amended bill passed late in June, just before the adjournment, and it received the governor's signature on June 25. It had been introduced by Senator George Woodward (described as an independent, elected with Penrose support) on March 3, nearly four months of suspense, legislative inaction, lobbying, and machination thus intervening.

THE CHANGES PROPOSED, AND THOSE SECURED

The charter bill was a compromise measure, as are most legislative proposals of its character. It provided, however, an inclusive frame of government to the extent that the state constitution and our limited political education permit at this time. Because of limitations of space we shall not attempt to go into great detail regarding each proposal nor even as to each final amendment of the city's former charter, but shall confine our discussion to the more important of each of these groups.

The major change proposed was in the municipal legislative body. In lieu of the two large chambers, a single body, based on the existing eight state senatorial districts, was created with provision for a councilman for every 20,000 assessed voters. Proposals to secure some representation at large, as well as a splendid effort to introduce some rational system of proportional representation, were defeated in the charter committee. After violent debate and various attempted amendments in the legislature the council in the new charter is as originally proposed by the charter committee, giving us a council of 21 to begin with.

The powers of the mayor are somewhat modified in the new act. There are some structural improvements in the departments under his jurisdiction such as the separation of health and charities (now under one department) and the creation of a new department of welfare to cover the charity, corrections and recreational functions, but more especially to work along modern social lines. The efforts to shorten the ballot were restricted by constitutional provisions, but a step in this direction was taken in the proposals that the city's chief law officer, now elective, be appointed by the mayor, and that the position of receiver of taxes, a purely ornamental elective office, be abolished. As the act finally passed, the charter committee and the reactionaries divided honors—the city solicitor becomes appointive, but the status of the receiver of taxes remains unchanged.

The civil service and corrupt-practises laws, which were passed in the famous "penitential" legislative session of 1906, are somewhat strengthened and improved. In lieu of a civil service commission of three appointed by the mayor, a single commissioner, elected by a two-thirds vote of the council, was proposed by the charter committee. The committee was also desirous of extending the trial-board privilege, now accorded only to policemen and firemen, to all civil servants, but in the course of the legislative amending the size of the commission was restored to three chosen by the council, however, instead of by the mayor. The proposal to extend the trial-board privilege to others than policemen and firemen was eliminated. Pernicious political activity of policemen and firemen is effectively checked and the too-wide choice of four eligibles for a single vacancy is reduced to two. In a supplementary bill an attempt was made by the revisionists to extend the merit system to "county" as well as to all "city" departments, but this bill never got out of the senate committee.

The charter bill set up fundamental reforms in the fiscal procedure of the city by requiring a mayoral budget without, however, restricting the freedom of the council in its action on it. This article of the charter required financing on a revenue and expense accounting basis instead of on a basis merely of cash receipts and cash disbursements as the existing law provided. The initiation by the mayor, and the untrammeled freedom of ultimate action by the council, survived the legislature, but the accounting reforms were ripped out because the governor's attorney-general insisted that they were "too technical."

The powers of the city controller are enlarged to give him jurisdiction over all the city's bookkeeping, thus making it possible to have a centralized accounting system in place of the numerous systems in the several departments and bureaus now existing in addition to that in the controller's office. A short article simplifying and improving the legal mechanism controlling municipal indebtedness follows the article on budget, and through some miracle this part of the charter bill came through unscathed.

Philadelphia is one of the last if not the sole remaining large city in the civilized world that has its street cleaning and waste removal done by private contract. In recent years there has been growing discontent with the inefficiency of these services and studies of the methods employed elsewhere revealed the fact that these functions are usually performed by the municipalities themselves. Accordingly, the new charter requires the city to do its own street cleaning and waste removal after December 31, 1920. In deference to the home rule principle, and with the thought of providing for some unforseeable situation, it is stipulated that work of this character may be done by contract if the council, by a majority vote, with the approval of the mayor, so decides. The original proposal of the charter committee was to make the exception only if three quarters of the council and the mayor consented to do this kind of work by contract, and around this point was waged the most hotly-contested fight in the charter campaign, the governor finally ordering "majority" substituted for "three quarters." The charter act also makes it possible for the city to enter into contracts for periods longer than one year, a right not allowed under the present statutes. By this means it is hoped to make it possible to secure genuine competition in bidding on municipal contracts, a result not obtainable under the one-year limit. The reason for the latter fact is that potential competitive bidders find it impossible to provide the necessary plant and other facilities for use in contracts that may last but one year.

Many of the provisions of the charter just made law by the governor's signature are either merely mentioned or entirely omitted from this very condensed sketch. An effort has been made, however, to touch upon the essential features of the program and the final act and to make clear the main changes and the objects sought to be attained. By this new charter—but no less by the civic education that its advocates and opponents furnished—old Philadelphia has taken a giant stride forward into the ranks of progressive American municipalities.

THE PRESENT STATUS OF THE EXECUTIVE BUDGET IN THE STATE GOVERNMENTS

BY A. E. BUCK

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Many persons will be agreeably surprised to learn that the legislation stage of the budget movement in state governments is near completion, so widely has the principle now been written into law. There remains the necessity of making public officers conform to its spirit. :: ::

Only within the last ten years has any recognition been given in this country to the importance of sound principles of budget making as a means of avoiding waste in public expenditures and of securing better service in public administration. In fact, the first thorough study of budgetary procedure to be made in this country was that produced in connection with an investigation of the appropriation methods of the national government by President Taft's commission on economy and efficiency, which was organized in 1911. As a result of the work of this commission Mr. Taft came out strongly for an executive budget and embodied his proposals in a message to congress on June 27, 1912. Although congress did not act favorably upon the President's recommendations, their effect was not lost. Almost immediately the discussion occasioned by them spread to the states, with the result that the term "budget system" found a prominent place in party platforms and became a vital issue in state politics. Several of the states whose finances were in a depleted condition were already feeling keenly the need of a uniform system of control over their revenues and expenditures—a system which would correlate the two and establish definite administrative responsibility. Consequently they at once seized upon the idea of a budget system and embodied a form of budgetary procedure in their law. Because of only a meagre understanding of the principles of a correct budget system and, in some instances, because of political expediency the type of budget adopted did not always fix definite responsibility and the budgetary procedure provided was usually very incomplete.

BUDGET MOVEMENT IN THE STATES

The movement for budgetary reform in the states may be said to have actually begun in 1913, although two years prior to this time Wisconsin and California enacted laws containing some provisions for the establishment of budget methods. During 1913 six states enacted budget legislation, the laws of three of which, namely, Arkansas, Ohio and Oregon, have not since been revised. Each year since 1913 budget legislation has been enacted in one or more states. Beginning with 1916 an increased number of states have been added each year to the list of those having budgetary provisions. The present year, however, shows the greatest activity of any year; eleven new states—Alabama, Arizona, Colorado, Idaho, Maine, Montana, Nevada, New Hampshire, Oklahoma, South Carolina and Wyoming—have provided for budgetary procedure by statute, while four states—Connecticut, Nebraska, New Mexico and South Dakota—have revised their budgetary procedure.

At the present time there are thirty-nine states which have provided, either by constitutional amendment or by statute, for permanent budgetary procedure of one type or another. In addition to these, four other states have taken steps looking toward the adoption of budget methods. Delaware enacted in 1917 a law adopting an executive budget plan for a single session. During the same year Michigan provided for a temporary budget commission of inquiry and North Carolina enacted a law making it the duty of the legislative reference librarian to receive and compile the estimates for the legislature. The Indiana legislature of 1919 passed for the first time a proposed budget amendment to the constitution modelled directly after the Maryland executive budget amendment. There remain only Florida, Missouri, Pennsylvania, Rhode Island and Texas that have not yet adopted or are in the course of adopting some form of budgetary procedure.

TYPES OF STATE BUDGET SYSTEMS

The budget plans, which have been adopted by the states, may be classified under four types with reference to the location of responsibility for the initiation of the budget. These types are (1) the executive type, when the governor is made responsible for the formulation of the budget; (2) the administrative board type, when a group of administrative officers (usually including the governor) is responsible for the preparation of the budget; (3) the administrative-legislative board type, when a committee composed of both administrative and legislative officers prepares the budget; and (4) the legislative type, when the budget is prepared by a legislative committee.

The budget plans of twenty-two of the thirty-nine states having permanent budgetary procedure may be classified under the executive type. These states and the dates of the adoption of their plans are as follows: Arizona (1919), Colorado (1919), Idaho (1919), Illinois (1917), Iowa (1915), Kansas (1917), Maryland (constitutional amendment, 1916), Massachusetts (constitutional amendment, 1918), Minnesota (1915), Mississippi (1918), Nebraska (1915, repealed by new law, 1919), Nevada (1919), New Hampshire (1919), New Jersey (1916), New Mexico (1917, repealed by new law, 1919), Ohio (1913), Oklahoma (1919), Oregon (1913), South Carolina (1919), Utah (1917), Virginia (1918) and Wyoming (1919). However, the budget plans of three of these states contain variations from the true type of executive budget. The New Hampshire budget law provides that the state treasurer shall compile the estimates and the governor-elect shall make recommendations thereon to the legislature. Under the provisions of the Oregon budget law the secretary of state tabulates the estimates which the governor transmits to the legislature together with executive recommendations. The budget law of South Carolina provides that the chairman of the house ways and means committee and the senate finance committee shall sit with the governor at the public hearings on the estimates, but responsibility for submitting budget recommendations to the legislature is placed upon the governor.

Nine states have budget laws which create budget-making authorities of the administrative board type. In these states the boards which prepare and present the budget to the legislature are composed of the administrative officers of the state government and are constituted in one of the following ways: (1) *ex officio* members only, (2) *ex officio* members and members appointed by the governor, (3) members appointed by the governor. These states and the dates of the adoption of their budget plans are: Alabama (1919), California (1911), Connecticut (1915, amended 1919), Kentucky (1918), Louisiana (1916), Montana (1919), Tennessee (1917), Washington (1915) and West Virginia (constitutional amendment, 1918). Of these nine states six provide that the governor shall be a member of the budget board and he controls by appointment the budget boards of the three remaining states.

Six states have budget laws providing for budget boards or committees consisting of both administrative and legislative officers. These states are Georgia (1918), Maine (1919), North Dakota (1915), South Dakota (1917, amended 1919), Vermont (1915) and Wisconsin (1911). In every case the governor is a member of the budget boards.

Two states—Arkansas (1913) and New York (1916)—have budget laws which provide that the budget shall be prepared and submitted to the legislature by legislative committees.

EXECUTIVE TYPE OF BUDGET PREFERRED AMONG THE STATES

Of the thirty-nine states having provisions for budgetary procedure at the present time, twenty-two have adopted the executive type of budget. Of these twenty-two states two enacted their budget legislation in 1913, three in 1915, two in 1916, four in 1917, three in 1918 and eight in 1919. These figures indicate that the executive budget idea has rapidly gained favor since 1916. It was at this time that the first comprehensive executive budget was adopted by Maryland and made a part of the state constitution. Since 1916 the Maryland budget provisions have been largely copied in the budget laws of six states. The Virginia budget law, enacted in 1918, has been adopted in modified form during the present year by five states. It thus appears that the Maryland and Virginia forms of the executive type of budget have found greatest favor among the states adopting this type. Briefly stated, the essential difference between the two forms is that the Maryland form places limitations upon the power of the legislature to increase the executive proposals, while the Virginia form does not.

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The present status of the executive budget in the states will now be considered, first, from the standpoint of a brief comparative analysis of the budget laws; and, second, from the standpoint of the operation of these laws.

I. ANALYSIS OF STATE EXECUTIVE BUDGET LAWS

FORM, PREPARATION AND FILING OF ESTIMATES

The New Jersey budget law prescribes the form of the estimates of expenditures in greater detail than any other state budget law, even going to the extent of setting up the estimate forms as part of the rules appended to the law. This law also attempts to prescribe a budget classification. It requires the expenditure estimates to be classified as (1) maintenance (other than salaries); (2) salaries; (3) repairs and replacements; (4) miscellaneous and (5) new buildings. The Maryland budget amendment and the Virginia budget law, as well as the budget laws modelled after these two states, provided that the governor shall determine the form and classification of the estimates.

Several of the executive budget laws prescribe the general form of revenue estimates. In most cases the state auditor or state comptroller is required to make up these estimates and file them with the governor. In New Jersey and Kansas the comptroller and treasurer jointly furnish to the governor a statement of revenues and past expenditures.

Only two of the executive budget laws, namely, Idaho and Illinois, specify a date for submitting the estimate sheets to the spending agencies. In the case of Idaho, the estimate blanks are sent out by August 15 and required to be filed by the spending agencies by October 1. In the case of Illinois, blanks are sent out September 15 and required to be filed by November 1.

The estimates are required to be filed directly with the budget-making authority, that is, the governor, except in the following states. In Idaho, Illinois and Nevada estimates are filed with the finance departments as provided under the new administrative consolidation codes. In Oregon estimates are filed with the secretary of state, and in New Hampshire with the state treasurer.

The budget laws of New Jersey and Kansas require the estimates to be sworn to by a responsible officer of the spending agency before submission to the governor.

The executive budget laws, with the exception of the Maryland amendment and those laws modelled after it, provide a specific date for the submission of the estimates to the governor. This date usually falls within the month of November. The Maryland amendment and the budget laws of Colorado and New Mexico designate the officers who shall prepare and file the estimates for the legislature and the judiciary.

REVIEW AND REVISION OF ESTIMATES

All of the executive budget laws, except the Iowa law, provide for the review of the estimates by the governor. While the budget laws of Arizona, Iowa, Kansas, Massachusetts, New Jersey, New Hampshire, Ohio, and Oregon provide for a review of the estimates by the governor, they do not provide for executive revision. The budget law of Mississippi gives the governor the power to revise all estimates. In Colorado, New Mexico, Oklahoma, South Carolina and Virginia the governor may review all estimates except those of the legislature and the judiciary. The governor of New Mexico, however, may review the estimates of the legislature and the judiciary and may make such recommendations with reference to these estimates as he may think proper. The budget laws of Idaho, Illinois and Nebraska provide that the estimates shall be submitted to the department of finance of each state and the head of this department may alter the estimates before submitting them to the governor for his recommendations. The budget amendment of Maryland provides that the governor may revise all estimates, except those of the legislature, the judiciary and the public schools. In Minnesota the governor may revise all estimates, except those of the legislature, judiciary, state university and the state militia. In Nevada and Utah the governor may revise all estimates, except those relating to the legislature, public debt obligations and fixed salaries. The governor of Wyoming may revise all estimates, except those of the legislature.

The budget laws of Arizona, Kansas, Massachusetts, New Jersey, New Hampshire, Ohio, Oklahoma, South Carolina, Virginia and Wyoming give the governor special powers of investigation and examination in order to determine the need for all requests.

The budget laws of Colorado, Kansas, Maryland, New Jersey, New Mexico, Nevada, and Utah provide that the governor *may* in his discretion, or upon request, hold public hearings upon the estimates. The laws of Idaho, Oklahoma, South Carolina, Virginia and Wyoming provide that the governor *shall* hold public hearings on the estimates. In Idaho the governor must provide public hearings and invite the governor-elect to be present.

SPECIAL STAFF AGENCY

The budget laws of Arizona, Colorado, Idaho, Illinois, Kansas, Massachusetts, Minnesota, New Jersey, Nebraska, Ohio, Oklahoma, South Carolina, Virginia and Wyoming provide assistance for the governor in the preparation of the budget. The laws of Arizona, Oklahoma, South Carolina, Virginia and Wyoming provide that the governor shall employ competent budget assistants to help him in gathering budget data, in making a general survey of the state's financial condition, and in preparing the budget. The Colorado budget law creates the office of budget and economy commissioner at a salary of $3,600 a year, who is to assist the governor in the preparation of the budget. Under the administrative consolidation codes of Idaho, Illinois and Nebraska the governor is assisted in the preparation of the budget by the head of the department of finance. The Illinois department of finance has a bureau under the direction of a superintendent of budget which handles the budget and related subjects. In Kansas the governor may name administrative officers to assist him in the preparation of the budget. The governor of Massachusetts is assisted by the supervisor of administration, who reviews the estimates and gathers necessary budget data. The Minnesota law provides that the governor may call upon the chief executive officers for assistance. The New Jersey budget law provides that the governor may appoint two special budget assistants. The budget law of Ohio empowers the governor to appoint competent persons to make examinations. In practice, he appoints a budget commissioner who receives the estimates and prepares the budget for transmission to the legislature.

THE PREPARATION OF THE BUDGET

The New Jersey and Kansas budget laws provide that the governor shall make a summary of the estimates with recommendations thereon. The New Hampshire law provides that the governor-elect shall make recommendations on the estimates. The budget commissioner of Ohio and the secretary of the state of Oregon compile the estimates and the governor makes recommendations thereon to the legislature. The Maryland budget amendment requires the governor to prepare two budgets, one for each year of the ensuing fiscal biennium. The budget laws of Arizona, Illinois, Iowa, Minnesota, Mississippi, Nebraska, Nevada, Oklahoma, South Carolina, Utah, Virginia and Wyoming provide that the governor shall prepare a budget for the ensuing fiscal period.

FORM AND CONTENTS OF THE BUDGET

The Maryland budget amendment, ratified in 1916, was the first to set forth in any great detail the form and contents of the budget. It provides that there shall be two budgets, one for each year of the ensuing fiscal biennium. Each of these budgets shall be divided into two parts: I. "Governmental Appropriations," including estimates of appropriations for (1) general assembly, (2) executive department, (3) judiciary department, (4) to pay and discharge the principle and interest of the state debt, (5) salaries payable by the state under the constitution and laws, (6) public schools, and (7) other purposes set forth in the constitution; II. "General Appropriations," including all other estimates. It further provides that each budget shall contain a complete plan of proposed expenditures and estimated revenues and shall show the estimated deficit or surplus of revenues at the end of each year to be financed. It provides that a statement shall accompany the budget showing (1) revenues and expenditures for each of the two fiscal years next preceding, (2) balance sheet, (3) debts and funds, (4) estimate of state's financial condition at the ends of each of the fiscal years covered by budgets, and (5) any explanations by the governor.

The laws of Alabama, Utah and Nevada contain provisions relating to the form and contents of the budget which are very similar to those of Maryland, the main difference being that these states do not require the budget to be divided into two parts, namely, "governmental appropriations" and "general appropriations." The provisions of the Nevada law are copied directly from those of Utah.

The Virginia budget law, enacted in 1918, was the first law following the Maryland budget amendment which prescribed in detail the form and contents of the budget of a somewhat different character from that of Maryland. The Virginia law requires that the budget shall contain a complete and itemized plan of all proposed expenditures for each state agency, classified by function, character and object; also estimated revenues and borrowings for each year of the ensuing biennial period. It requires that alongside each item of the proposed expenditures the budget shall show in parallel columns the amounts appropriated for each of the last two preceding appropriation years, and the increases or decreases. It also requires that there shall accompany the budget (1) a statement of revenues and expenditures for each of the two preceding appropriation years, (2) a current balance statement, (3) a debt and fund statement, (4) a statement of conditions of the treasury at the beginning and end of the two appropriation years covered by the budget, (5) a balance sheet of the state at the close of the last preceding fiscal year, (6) a general survey of the state's financial and natural resources with a review of its general economical, industrial and commercial conditions.

The budget laws of Oklahoma, South Carolina and Wyoming contain provisions relating to the form and contents of the budget which are identical with those of Virginia. The laws of Arizona and Colorado contain provisions similar to those of Virginia.

The budget law of Illinois, enacted as a part of the civil administrative code, provides that the budget shall contain the amounts recommended by the governor to be appropriated to the several spending agencies, the estimated revenues from taxation and from sources other than taxation, and the estimated amount required to be raised by taxation. The governor is required to transmit, together with the budget, the estimates of receipts and expenditures received by the director of finance from the elective officers in the executive and judicial departments and from the University of Illinois. The civil administrative codes of Idaho and Nebraska contain provisions relating to the form and contents of the budget similar to those of Illinois.

The New Jersey budget law, adopted in 1916, contains no specific provisions concerning the contents of the budget. It merely says that the budget shall be in the shape of a separate message to the legislature, containing a summary of the estimates with recommendations thereon by the governor, and shall be in easily understood form. The Kansas budget law, copied from that of New Jersey, contains similar provisions.

The Massachusetts budget amendment, ratified in 1918, prescribes the general contents of the budget and leaves the form of this document to be prescribed by statute. The amendment says that the budget shall contain a statement of all proposed expenditures of the state for the next fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. Chapter 244 of the laws of 1918, which supplements the budget amendment, says that the budget shall show separately the estimates and recommendations of the governor for (1) expenses of administration, operation and maintenance, (2) deficiencies or overdrafts in appropriations of former years, (3) new construction, additions, improvements and other capital outlay, (4) interests on public debt, sinking fund and serial bond requirements, and (5) all requests for expenditures for new projects and other undertakings.

The budget laws of Minnesota, Mississippi and New Mexico contain only brief provisions as to the form and contents of the budget. The budget laws of New Hampshire, Ohio and Oregon contain no provisions regarding the form and contents of the budget.

DATE OF SUBMITTING THE BUDGET TO THE LEGISLATURE

The budget laws of Ohio and Oregon provide that the budget shall be submitted to the legislature at the opening of the session. The laws of Arizona, Oklahoma, South Carolina, Virginia and Wyoming provide that the budget shall be submitted not later than five days after the beginning of the legislative session. The laws of Idaho and Montana require the budget to be submitted not more than ten days after the legislature convenes. The laws of Colorado, New Mexico and Nevada require the budget to be submitted within fifteen days after the convening of the legislature. Illinois requires the budget to be submitted not more than four weeks after the convening of the legislature; Kansas on the second Tuesday in January; Massachusetts three weeks after the convening of the legislature; Minnesota by February 1; New Jersey by the second Tuesday in January; Nebraska by March 1; and Utah twenty days after the beginning of the session. Mississippi requires the governor to mail each member of the legislature a copy of the budget ten days prior to the beginning of the session and to present it to the legislature on the first day of the session. New Hampshire requires the governor-elect at the time of his inauguration, or as soon thereafter as practicable, to make budget recommendations to the legislature.

The Maryland budget amendment provides that a newly elected governor shall have more time in which to prepare his budget than is allowed a governor who has been in office a year. It provides that the budget shall be submitted twenty days after the beginning of the session or in the case of a newly elected governor thirty days.

PROVISIONS FOR A CONSOLIDATED APPROPRIATION BILL

Eleven states, having the executive type of budget, provide for a consolidated appropriation bill. Budget laws of Idaho, Maryland, Nevada and Utah require the governor to accompany the budget, when submitted to the legislature, with a bill containing all proposed expenditures, clearly itemized and classified. The budget laws of Oklahoma, Virginia and Wyoming require the governor to submit to the legislature with the budget a tentative appropriation bill, clearly itemized and properly classified, for each of the two ensuing fiscal years. The Massachusetts budget amendment requires all appropriations based on the budget to be incorporated in a single bill called the "general appropriation bill."

The New Jersey law provides that there shall be no supplemental, deficiency or incidental bills; hence, it may be presumed that all appropriations are to be included in one appropriation bill. However, this bill is in practice prepared by the joint appropriation committee of the legislature. The budget law of South Carolina makes provisions for the consideration of a budget bill, but no provisions are made for its preparation or introduction. The New Hampshire law requires the appropriation committee to report to the legislature one appropriation bill, unless the governor requests appropriations be made in separate bills.

The governors of Colorado and Arizona are required to set up the proposed appropriations in the form of one or more bills and to submit these to the legislature.

The budget laws of Illinois, Iowa, Kansas, Minnesota, Mississippi, Nebraska, Ohio and Oregon make no provisions for a consolidated appropriation bill, or the drafting by the governor of one or more bills covering the proposed appropriations.

BUDGETARY PROCEDURE IN THE LEGISLATURE

The budget laws of Illinois, Iowa, Kansas, Minnesota, Mississippi, Nebraska, New Jersey, Ohio and Oregon make no provisions relative to budgetary procedure for the legislature.

The Maryland budget amendment provides that the governor shall deliver the budget bill to the presiding officers of the two houses of the legislature who, in turn, shall introduce it immediately in their respective houses. The amendment further provides that the governor may amend or supplement the bill while in the legislature. Finally, the amendment provides that the governor and such administrative officers as have been designated by him shall have the right and, when requested by either house, it shall be their duty to appear and be heard with respect to the budget bill during its consideration. The budget laws of Nevada and Utah contain similar provisions except they do not provide for the appearance of the governor, or his representative, in the legislature.

The Virginia budget law provides that the standing appropriation committees of the legislature must begin within five days after the budget is submitted to hold joint and open sessions on it. The law provides further that this joint committee may require representatives of spending agencies to appear before it and give information, and it may admit and hear all persons interested in the estimates. Finally, the law provides that the governor, or his representative and the governor-elect shall have the right to sit at these public hearings and to be heard. The budget laws of Idaho, Oklahoma, South Carolina and Wyoming make similar provisions. South Carolina, however, makes the additional provision that the state tax commission shall be present at all hearings before the joint committee of the legislature.

Under the Arizona budget law the proposed appropriation bills are referred to the appropriation committees of the house and senate for consideration. The Colorado law provides that the governor's appropriation bill or bills shall be introduced immediately upon presentation and referred to the appropriation committees, after which he may amend such bills and also appear before the appropriation committees. The governor of Massachusetts may recommend supplementary budgets to the legislature. In New Hampshire the governor's recommendations are referred to the committee on appropriations.

LIMITATIONS ON LEGISLATIVE ACTION

The Maryland budget amendment was the first to limit the action of the legislature with reference to increasing the items of the governor's budget bill. Under this amendment the legislature cannot amend the budget bill to change the public schools funds, or salaries and obligations required by the constitution; it may increase or decrease the items relating to the general assembly, or increase those relating to the judiciary, but can only reduce or strike out others. It is further provided that the legislature shall not consider other appropriations until the budget bill has been finally acted upon.

The budget law of Utah provides that the legislature may not alter the budget bill except to strike out or reduce items, provided public debt obligations shall not be reduced or eliminated and the salaries of public officers shall not be reduced during their term of office. It further provides that neither house shall consider other appropriations except for an emergency or the immediate expenses of the legislature until the budget bill has been finally acted upon. The budget law of Nevada has similar provisions.

The Virginia budget law provides that the legislature may increase or decrease items in the budget bill; but further and special appropriations, except in the case of an emergency, can be made only after the budget has been finally acted upon. The budget laws of Oklahoma, South Carolina and Wyoming have similar provisions. The Idaho law provides that the legislature may increase or decrease items in the budget bill, and that further or special appropriations, except in the case of an emergency, can be made only after the budget bill has been finally acted upon. The budget amendment of Massachusetts provides that the legislature may increase, decrease, add to, or omit items in the budget, but before final action on the general appropriation bill it shall not enact any other appropriation bill, except on recommendation of the governor.

SUPPLEMENTARY AND SPECIAL APPROPRIATION BILLS

The Maryland budget amendment carries the most rigid provisions with reference to supplementary and special appropriation bills. It not only forbids the legislature to consider other appropriations until the consolidated appropriation bill, or budget bill, has been finally acted upon, but it provides that every such supplementary appropriation shall be embodied in a separate bill, limited to a single purpose, shall provide the revenue necessary to pay the appropriation thereby made by a tax, direct or indirect, to be laid and collected as shall be directed in said bill, shall receive the majority vote of the elected members of each house, and shall be presented to the governor and be subject to his veto.

The states which have copied this provision from the Maryland law have modified it to the extent of not requiring a tax to be laid unless it appears from the budget that there is not sufficient revenue available to meet the supplementary appropriation. The Utah budget law provides that every supplementary appropriation shall be embodied in a separate bill, limited to a single purpose stated therein, and shall not be valid if it exceeds the amount available in the state treasury, except it provide the revenue necessary to pay the appropriation. The Nevada law has a similar provision.

The Virginia budget law makes no provision with reference to supplementary appropriation bills, except that such bills, when originating in the legislature, must conform to the governor's classification. Similar provision is made in the budget laws of Idaho, Oklahoma, South Carolina and Wyoming.

The Colorado budget law requires the governor to prepare and submit separate special appropriation bills for all purposes not comprehended in the general appropriation bill. The Massachusetts budget amendment provides that after final action on the general appropriation bill or upon recommendation of the governor, special appropriation bills may be enacted; such bills to provide specific means for defraying the appropriation therein contained. The New Jersey law says that there shall be no supplemental, deficiency or incidental bills; and that no money shall be drawn from the treasury except by the general appropriation act.

EXPENDITURE AND CONTROL OF APPROPRIATIONS

The budget laws of Minnesota, Illinois and Nebraska provided for the allotment of appropriations. The Minnesota law requires each department, immediately upon an appropriation for its support being made, to proceed to allot the sum so granted for purposes set forth in the budget. This allotment may subsequently be changed, but the original allotment and also subsequent changes must be reported to the auditor who keeps his accounts and expenditures by such heads. Illinois provides that each department shall, before an appropriation for such department becomes available for expenditure, prepare and submit to the department of finance an estimate of the amount required for each activity to be carried on, and accounts shall be kept and reports rendered showing the expenditures for each such purpose. Nebraska has a provision similar to that of Illinois.

The budget law of New Jersey and the recent budget bill of Maryland provide means for the transfer of appropriations. The New Jersey law provides for transfer within the appropriations of any organization unit by application to the state house commission, composed of the governor, the comptroller and the treasurer. In the Maryland budget bill (chapter 206, section 3, laws of 1918) appropriations are made to organization units in lump sums with itemized schedules attached. Each lump sum appropriation is paid out in accordance with the schedule which relates to it, unless and until such schedule is amended by action of the governor upon request of the spending agency.

The emergency board of Ohio, consisting of the governor, auditor, attorney general and chairmen of the legislative finance committees, is authorized, in case of an emergency requiring the expenditure of a greater amount than has been appropriated by the legislature for a spending agency, upon application by such spending agency, to authorize the expenditure of money not specifically provided for by law.

In Colorado the budget bill is required to be in such form and detail as to afford effective auditing control over expenditures. Several other states give the governor general powers over the expenditures of appropriations by authorizing him to conduct audits, to provide uniform accounting systems, to investigate into duplication of functions and generally to supervise administration.

II. The Working of State Executive Budgets

Of the twenty-two states having executive budget laws in force at the present time, three states—Ohio, Oregon and New Jersey—have each had three budgets prepared under their respective laws; three states—Iowa, Minnesota and Nebraska—have each had two budgets prepared; six states—Maryland, Illinois, Kansas, New Mexico, Utah and Massachusetts—have each had one budget prepared, and ten states—Mississippi, Virginia, Arizona, Colorado, Idaho, Nevada, New Hampshire, Oklahoma, South Carolina and Wyoming—have had no budget prepared under their laws. Hence one-half save one of the states having budgetary procedure of the executive type has had no experience in the operation of their laws; six more have had only the initial operation, which of course is largely experimental and not a fair test of the adequacy of their laws. This leaves six states, the operation of whose laws may be taken to test. The experience of these states will be considered briefly from the standpoint of indicating the general trend of the development of the state executive budget in this country rather than of trying to set forth certain facts relative to the success or failure of the budgetary procedure of a particular state. It must be borne in mind that the idea of the executive budget, while embodied in the constitution and laws of almost one-half of the states of the Union, is not only a new idea in this country, but the method and procedure through which it is becoming operative are at best incomplete and need the experience of several more years properly to develop them.

OHIO BUDGET PLAN

Governor James M. Cox, in his message to the 1919 legislature of Ohio, said:

> "In 1913 a budget system was adopted in this state; it has limitations in operation but they are within the constitution. So far as it has gone, it has helped to simplify the financial affairs of the state. It has resulted in great saving and it clearly indicates what might be accomplished if the results of painstaking investigation were the base of something more than tentative action. . . . The governor, through the budget commissioner, prepares a statement for the assembly, which, by item and specification, shows just what the departments need for the approaching biennium. This estimate, so far as I know, has

never been diminished by legislative investigation or enactment, but always added to."

Governor Cox then spoke of Maryland as having "operated long enough under a new budget system to realize that millions of dollars were lost by failure to adopt it long ago," and recommended the adoption of the Maryland system in Ohio by constitutional amendment.

OREGON BUDGET PROCEDURE

The report of the Oregon Consolidation Commission to the 1919 legislature said, with reference to the state budget methods:

> "The present budget procedure in Oregon, as carried out under the law of 1913, should be changed in certain important respects. In the first place, in order that it may be a true budget . . . it should be prepared and compiled under the supervision of the governor, as head of the administration, and, when completed, should be transmitted by him to the legislature with his backing and authority as a statement of the financial needs of the various administrative departments for which he assumes the responsibility. The preparation of budget was placed in the hands of the secretary of state on the theory that this is a mere clerical function. The secretary of state merely acts as an assembling and transmitting agent, and assumes no responsibility for the estimates. Therefore, no responsibility for the estimates is assumed by anybody except the individual heads of departments, who transmit them to the secretary of state, and this responsibility is so diffused on account of the large number of such heads of departments that it is of little consequence. There should be concentrated responsibility for the estimates, and this can properly be assumed only by the governor, as the head of the administration."

As a prerequisite to the development of a thoroughgoing executive budget system the commission outlined a complete plan of administrative consolidation, designed to fix full responsibility upon the governor, and recommended its adoption by the legislature.

NEW JERSEY AND KANSAS

For constitutional reasons the budget law of New Jersey contains no provisions governing the legislative procedure upon the governor's proposals. It has been the practice of the joint appropriation committee, after having received the governor's budget, to do whatever investigating it deemed necessary and then proceed to draft the general appropriation bill, disregarding, if it chose to do so, the governor's recommendations. As a result the legislature has followed practically the same procedure since the adoption of the budget law as it did before in making appropriations. Governor Edge, the author of the law, admitted this to be a serious defect in the law, but one which could not be avoided without constitutional change.

Under the New Jersey law the retiring governor is required to prepare the budget and immediately upon submitting it to the legislature vacates his office. Thereupon, the governor-elect assumes the duties of his office and takes the responsibility of budget recommendations of which he is not the author. The Maryland budget amendment and the recent Nebraska budget law have made provisions in their budgetary procedure against this defect.

The first budget under the Kansas budget law, which was copied from that of New Jersey, was prepared and submitted to the 1919 legislature. Even this first year's experience showed the budgetary procedure provided by the law to be defective in many ways, and an unsuccessful attempt was made by the administration to have the budget law amended before the 1919 legislature adjourned.

RECENT CHANGE IN NEBRASKA'S BUDGETARY PROCEDURE

The 1915 budget law of Nebraska had as its chief purpose the location of responsibility for the budget in the governor. This purpose, however, was not accomplished in 1917 because of the inauguration of a new governor, who under the provisions of the law was required to transmit his budget to the legislature at the opening of the session. The governor in his budget message to the legislature stated that he had not had time since the filing of the estimates to warrant either change or recommendations, and consequently left the whole matter to the judgment of the committees and members of the legislature. During the 1919 session of the legislature a new budget law was enacted as a part of the civil administrative code, which repealed the 1915 law. This law provides that the secretary of finance at the head of the department of finance shall receive and review the estimates and shall tabulate them for submission to the governor by February 1, who, in turn, shall prepare his budget and submit it to the legislature not later than March 1.

IOWA AND MINNESOTA

Governor Clarke of Iowa in his retiring message to the legislature of 1917 called attention to a number of defects in the budgetary procedure of the state. During this year the governor presented the estimates to the legislature without revision, and the legislature followed its accustomed procedure in making the appropriations.

The Minnesota budget law had its first trial in 1917. The total amount of the requests was $27,000,000, which the governor reduced by $7,716,000. The legislature passed appropriation bills calling for $4,800,000 in excess of the governor's recommendations, and the bills as finally approved by the governor called for $2,589,000 above his recommendations. Unsuccessful attempts were made both in 1917 and in 1919 to amend the budget law. In 1919 it was proposed to constitute a board, instead of the governor, the budget making authority.

MARYLAND BUDGET SYSTEM

It is too soon to attempt to draw any definite conclusions from the operation of the Maryland budget system, as the first budget was made up in 1918. However, the main weakness of the system seems to have been in the legislative consideration of the budget. To quote from Governor Harrington: "What had taken the governor three months for preparation after an intimate acquaintance of four years, the ways and means committee passed upon in practically two or three sittings, each of very short duration. The finance committee of the senate approved the governor's budget appropriation about $12,000,000 *in toto*, and the ways and means committee all except two or three items, the legislature passing the budget bill after striking out but one item of $2,000."

It should be borne in mind that the governor of Maryland is not entirely free and unhampered in making his budget recommendations to the legislature, since complete authority for all executive and administrative action is not centered in him. There are several administrative officers, boards and commissions which are independent of the governor because of the methods by which they obtain office, some being elective and others appointive by the legislature. Furthermore, there are entirely too many separate administrative agencies for the governor to keep a close watch upon all expenditures. The consolidation of the administrative agencies of Maryland into a few integrated departments directly under the governor is needed in order to fix executive responsibility and to make the present budget system a real executive budget.

UTAH AND NEW MEXICO

The Utah budget law, enacted in 1917, was modelled after the Maryland budget amendment. The provision of the law which prohibits action upon special or supplementary appropriation bills before the passage of the budget bill appeared to cause some trouble in the recent legislative session because some of the members insisted upon withholding action on the budget bill, pending the result of other legislation. An attempt was made to eliminate this particular provision from the budget law, but the effort was unsuccessful.

New Mexico had two budget laws passed in 1917. One of these laws had provisions limiting the action of the legislature upon the governor's budget bills to the reduction or elimination of items, and also forbidding the legislature to consider other appropriations until after final action upon the governor's bills. Both of these laws were repealed by a law enacted by the 1919 legislature, which contains no provisions limiting the action of the legislature in making appropriations.

THE ILLINOIS SYSTEM

Illinois is the first state to remodel to any great extent its administrative organization. It was mainly through the initiative and efforts of Governor Frank O. Lowden that a civil administrative code was enacted by the legislature in 1917. Under the provisions of this law the state administrative agencies, with the exception of the constitutional officers and two elective boards, were consolidated into nine great departments. Each department has a director at its head, who is appointed by the governor with the approval of the senate. One of these departments is the department of finance. In pursuance of the powers vested in this department, it has provided for a uniform system of accounting in all departments. It has supervised and examined the accounts and approved or disapproved all vouchers, bills and claims of the several departments. It has required each department, before an appropriation for such department should become available for expenditure, to prepare and submit to it an estimate of the amount required for each activity to be carried on within such department.

The department of finance, which is charged with the preparation of the budget, has full powers to make any investigation which may be necessary to enable it to formulate intelligently the financial needs of the state for the next biennium. In this department under the supervision of the director of finance is a superintendent of budget, who supervises the work of gathering all budget data. The estimates are submitted to the director, whose duty it is to review and revise them before submitting them to the governor for his recommendations thereon to the legislature. No restrictions are placed upon the power of the legislature to change the recommendations of the governor, or to introduce and pass appropriations not recommended by the governor.

It is too early in the course of operation to pass upon the success of the Illinois budget system. Although it must be said that Illinois has blazed the way for other states in the matter of administrative consolidation, which is necessary to the full development of the executive budget system.

COMMUNITY SERVICE, INC.

BY MARTHA CANDLER

The peace-time successor of the War Camp Community Service is the new Community Service, a central bureau for installing autonomous local organizations in towns that want more wholesome and universal neighborliness in recreation. :: :: :: :: :: :: ::

I

As soon as the outcome of the great war became evident, cities and towns all over the country began to ask what they could do to transfer to the solution of chronic—but often heretofore unrecognized—community problems the exalted spirit of service that had suddenly become everywhere evident in patriotic war-time community activities. And would war camp community service stay?

War camp community service is the agency which has acted (in behalf of the War and Navy departments) as a clearing house for community effort to uniformed men—undertaking, where necessary, to awaken a sense of hospitality to uniformed men, and to harmonize conflicting community interests. It is well known that it has aroused such a spirit of "team-play" that people have been brought together, forgetting personal differences and matters of race and creed, and even of politics. A great spirit of friendly understanding has flamed up, and the old, almost-forgotten neighborhood-spirit come back.

Even in a place as big as New York, next-door neighbors have really come to know each other. Lately, many of them have frankly regretted the necessity for going back to the old self-centered existence, and then have suddenly questioned whether they need go back. Could they not organize into permanent community betterment schemes the exalted spirit of service and the energy awakened during the war? Many of them decided spontaneously that with the aid of W. C. C. S. they could.

It has been the mistaken idea of many people, and a statement often made in the press, that this organization had a fund of sundry millions to be expended in such work. But the facts in the case are that, though the War and Navy departments have expressed much interest in seeing the work carried into peace-time projects, they have joined with the committee of eleven in deciding that no part of the funds raised by the united war work campaign may be used for the establishment or carrying on of peace-time activities. Therefore, in order to meet the demand and function as a national agency to assist these local peace-time community efforts, the organization has begun operations as community service, incorporated, and will utilize practically the same leadership as that of W. C. C. S. and the parent-organization, the Playground and Recreation Association of America, and much of the personnel of the former. Twenty-seven hundred paid workers and thousands of volunteers, who have proved themselves throughout the war in their many-times tedious and exacting activities, are among these.

II

The fundamental principles of the peace-time program are that it will in no way duplicate anything that is already being done in any community, and that all activities and interests fostered shall be strictly non-partisan and non-sectarian in character. It will not only deal with the recreation and civic betterment problems of the whole community but will seek to co-ordinate the separate and varying units in the solution of these problems. The chamber of commerce represents the business interests, the federation of churches represents the religious side of community expression, just as the federation of woman's clubs stands for woman's interest and the local governmental machinery represents a political interest. Each of these has its own place in the ideal community program, and a place which no other can take. Representatives from all of these organizations, forming the local community service council, are now coming together for weekly round-table conferences in more than fifty towns and cities in which it can be truly said real community spirit exists. It is all so simple that we wonder why we have been so long attaining to it, and the statistics from any of the fifty centers are eloquent with the most marvelous results of this co-operation.

III

At an initial meeting of this sort held recently in Chillicothe the representative of the local labor federation, in a stirring speech, said that it was the first occasion on which a representative of the laboring man had ever been asked to take part in matters of civic or community interest, and ended by pledging the loyalty of organized labor to whatever furthered the interests of the community at large. What this sort of co-operation may mean and the splendid spirit of good fellowship and good will growing out of it has been generously demonstrated recently at Waterbury, Connecticut.

IV

When community service was first begun at Waterbury, it was discovered that, with its rapid expansion from a little factory town to a city of 100,000 during the war, whatever park space and outdoor recreation centers existed had been sacrificed in the interest of munitions output. When the dearth of space for organized sports or other outdoor recreation was called to the attention of the American brass company, an employer of large numbers of men, a tract a mile long and 700 feet wide, known as the "golf lots," was dedicated to the cause of public play. A day was set aside in which the whole town came to help put the grounds into usable condition. Fifty men came with shovels, rakes and axes. Factories loaned scoops, scrapers, harrows, wagons, tractors, and plows, and necessary men to operate them. The mayor and the city engineer came along. Schoolboys and their mothers came along to help, and in that one day two baseball diamonds were laid out. Eight more are being made, and tennis courts, a running track, and other play provisions provided. The carpenters' and electricians' unions gave their time to building and wiring an ample locker house on the fields, and the painters' and plumbers' unions, not to be outdone, came forward and volunteered to paint the structure and install shower baths, lavatories, etc. And now Waterbury is forming, among other things, a league of amateur baseball teams from all the factories and industries.

The community service in Waterbury, though but recently formed, is typical in many respects. It is conducted under a constitution and by-laws which provide:

(a) Workers in the field—"The Waterbury Community Service."

(b) Advisers—"The Waterbury Community Service Council."

(c) Executives—"The Waterbury Community Service Commission."

Any group of persons applying for recognition in the service may be accorded membership when so voted by Delegates—one from each group; Active members including

(a) One business person,
(b) One representative of manufacturing interests,
(c) One labor representative,
(d) One representative of the city administration,
(e) Two representatives of the church,
(f) One representative of the public at large,
(g) Two representative community-minded women.

The ex-officio membership is made up of

Chairman of the Board of Education,
Chairman of the Board of Public Works,
Chairman of the Board of Alderman,
Chairman of the Board of Commission of Public Safety,
Chairman of the Board of Finance,
Chairman of the Board of Health,
Chairman of the Board of Charities,
Superintendent of Parks,
Chairman of Community Service Council.

Only active members vote.

V

Chester, Pennsylvania, is fortunate enough to have the governor as active local chairman of community service. One of the first activities there, under his direction, was the outlining of the purposes and methods of the undertaking. An advisory council and an executive committee were formed "to organize working committees and make other appropriate arrangements for the development of activities and facilities including community singing, dances, socials, entertainments, dinners, athletics, games, hikes, and physical development contests, pageants, dramatics, and folk dancing."

New baths, comfort stations, and club houses were at once provided, and the use of schools, parks, churches, libraries, and fraternal buildings secured for evening social and educational activities. The first "dry saloon" in the United States was opened in the heart of Chester's business district, and at once became the center of Chester's democratic life for the men, old and young. This, America's pioneer venture along this line, was daringly started on a floor above one of the "wet" ones, and that more than a half-year before there was any prospect of the latter's going!

Chester's population, now made up of representatives of thirty-two nationalities, has increased 200 per cent since the beginning of the war, and Chester's Americanization pageant, "The League of Nations," has become familiar to people all over the country, and has been adopted in a number of communities over the country. The utmost effort is made to conserve the play traditions of these peoples, all from civilizations older than ours. The native songs and games, the folk dances, and traditional folk lore are all carefully fitted into the community program, and it is a happy new citizenship which is made to feel that it brings much as well as receiving much from the country of its adoption.

One of the most interesting features of Chester's program—and a feature which is found in many other community service cities—is the hospitality committee which devotes its time to conserving the friendliness of everybody for everybody else which was such a delightful thing in the soldier and sailor entertainment centers during the war. The soldiers are gone; there are civilians in their stead, but the hospitality centers remain. Downtown buildings, church basements, and other large available space is being utilized for big Saturday night dinners and "get acquainted" parties. Committees of Chester's women and girls act as community hostesses, introducing newcomers to old Chester residents and seeing that everyone is included in the red circle of hospitality. An expert woman organizer and recreation director is at the head of this department, and monthly and weekly "parlor conferences" are held in various parts of the city with a view to developing group leadership and working out further plans for hospitality activities. Large public dances, with Chester's leading men and women citizens acting as hosts and hostesses, are held twice every week.

A physical training class has been started to develop "play leaders" and instruct them in all sorts of outdoor games and exercises. These leaders will act as volunteer supervisors and promoters of games in parks, vacant lots, and the public playgrounds. The recreational directors of the local Boy Scouts, the Y. M. C. A. and the Y. W. C. A. are all co-operating heartily with community service in the conduct of these training classes.

The various nationalities making up Chester's population, to some extent, live in segregated neighborhoods so that the evening school center organization is an admirable vehicle for the elaborate Americanization programs, each nationality having the opportunity to develop its own contribution to the pageant program before meeting with the others. Lectures, talks by prominent leaders, and study clubs in current events are also carried on in the school and other neighborhood centers, and altogether such a program of interests and activities provided for that few people would have any excuse for being lonely in Chester.

VI

In Bethlehem, Pennsylvania, two community clubs have already been opened, and six more are under way. These fill widely varying community needs, and include country clubs and vacation clubs for women and girls. In addition, the coliseum on the south side of the city, with a seating capacity of 4,000, furnishes a community auditorium, used for sings, dances, and similar large "get togethers." Bethlehem, too, was lacking in adequate park space, and like Waterbury came into a rich heritage as soon as the needs were realized. Prominent people donated a large tract of land, and the municipality made provision for more, so that now Bethlehem has baseball, tennis, and golf enough for all its inhabitants, and within walking distance, or within a five-cent car ride of them all, with skating, boating, fishing, swimming, and hunting in addition.

In Bethlehem, one of the principal centers of recreation is a church which has recently become so enthusiastic over community service that it has installed two new bowling alleys in the basement. It now has a pool and billiard table, a library, a gymnasium, a motion picture machine, and excellent kitchen facilities. The membership of its men's clubs has been thrown open to the public. A meeting of representatives of all churches was recently held there to form a church athletic league.

VII

But community service is not by any means confined to industrial centers. It is the agency of the whole American people working out their own peculiar problems, whatever these may be—and wherever. Already a number of large cities have begun organizing by blocks. One person in each block is appointed to know when new families move in, to call on them, and to see that they are put in touch with the social and recreational opportunities of that city. Among these are Cincinnati, Philadelphia, and Minneapolis. In both Indiana and Michigan new laws have recently been passed giving state recognition and aid to certain community organization projects, and in at least one other state movement to obtain such legislation is under way.

Michigan's new law has been the direct outgrowth of the Camp Custer community house, erected with a $300,000 state war fund. Here during the war all sorts of people came to visit their soldier relatives; here, in fact, the people of the state had a common meeting place and, for the first time in their experience, farmers and the business men from the largest cities, society dames and little factory girls came to recognize a whole community of common interests. The state community commission is the successor of the various war boards of the state.

The future of community service can be limited only by our failure to realize its true significance. It is the activities of democracy working out its own potentialities in individuality and life. It stands for equal rights, equal opportunities, and equal humanity, deserving the freest development, the freest comradeship and respect. Democracy, according to even the most ardent enthusiasts, is going to be on trial for some time to come. But when we take thought of the strong spirit of true Americanism asserting itself through the almost spontaneous community organizations all over the country, we have no fears for the outcome.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS.

Community Leadership. The New Profession. By Lucius F. Wilson. New York: The American City Bureau. 137 pp.

"Let us dream of the America that might be if we were united upon a program of national advance; if the wisest of her local leaders in a thousand cities were heading for certain fixed points in social strength, labor, housing, government and patriotic spirit to be reached in five years." This is the keynote of Lucius E. Wilson's admirable book on community leadership. It may sound to the prosaic like the call of a dreamer, but the reader will find that Mr. Wilson has told us in a very practical way how to follow Thoreau's advice to "build your castles in the air—*and then put foundations under them!*"

Mr. Wilson, in writing his book, has chosen especially for his audience the secretaries of chambers of commerce, and in outlining the manner in which they can best serve their organizations and communities as civic leaders he has developed the phrase "the new profession," which serves as the sub-title of his book. But his message is so fundamental, so broad in its outlook, so sane in its manner and substance, so effective in making clear the way to turn a mediocre community into a "live town," that it may well serve a much wider audience. There is no officer or member of a civic or commercial club, no captain or private in the ranks fighting for good government, whose thinking will not be a little clearer, whose heart beat a little warmer, for having read the book.

It is both practical and inspirational. That is to say, it tells very definitely how to develop a program for civic betterment, and how to enlist interest and support, while at the same time the author sustains a note of idealism which calls men to service.

Here is a problem so widespread and imminent that more than 3,000 cities and towns in America have organized chambers of commerce to face it. Eight or ten millions of dollars, as the author points out, are spent each year by American cities through their chambers of commerce for community advancement. How may the executive officers of these 3,000 organizations most effectively direct their efforts? Mr. Wilson's answer is that they must first of all perceive the basic difference between a philosophy of crass materialism and of genuine idealism, between unsound selfishness and the gospel of service. When they or their organizations fail to reach the standards they have set, it is because they have lacked a general philosophy—a guiding religion of their work. Here again someone may accuse the dreamer. But see how practical it is. Chambers of commerce are composed of business men; business men want to boom business; they want to fill the city with factories—to attract more business. Mere community money-grabbing will never accomplish the desired end. No live community believes that matter is everything and spirit nothing. Neither will "natural advantages"—witness the brass industries of Connecticut, the leather industries of Newark, the shoe industries of Brockton, the cotton industries of Manchester, and other instances of industries far removed from sources of raw materials. The town or city that rests its case for preferment wholly or chiefly on its natural advantages merely invites competition. Nor is community advancement procured by considering only "the interests of business."

All these fallacies have been laid to rest. What has evolved and endured is the fundamental truth that "the most dependable means of improving business is to steadily raise the plane of living for average men." This, the author shows, is the primary lesson to be taught the citizen who will have more factories, willy-nilly, and more business in spite of other considerations. This and the art of team-thinking are the primaries which the community leader must incessantly stress.

Mr. Wilson describes illuminatingly the principles which the community leader—and, with his direction, the chamber of commerce—must teach. Co-operation rather than competition between cities is first emphasized, and the amazing interdependence of men and cities is shown. As Mr. Wilson well says, unlike the game of politics where one man must lose that another may win, community co-operation is essentially a game in which the prospect of one man's winning increases as others also win. "The chamber of commerce must steadily point the public mind toward the great fact that individual success is made possible by the advance of the world. It is the group progress that makes individual progress easy." Imagination, vision, and faith in the future and in fellow-men are inherent in successful business. With these as a basis, gradually they can be merged into genuine idealism, and the citizens of any city brought to see that the intangible forces that shape human life are the ones with which the progressive community should chiefly concern itself. "A city," says the author, "must think progress, must be guided by its optimists, must value constructive men more than destructive ones, must have a clear idea of the demands and possibilities of future city and national growth, and must have the courage to live up to its ideal. This is the foundation of a modern chamber of commerce."

In the chapters discussing the methods of chamber of commerce leadership, the necessity for planning far ahead, what the secretary must be and know, and what his relation is to the community, Mr. Wilson has included a wealth of sound guiding principles that will prove enlightening and stimulating to all who have any part in community activities.

Russell Ramsey.

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Man and the New Democracy. William A. McKeever, Ph.M., LL.D. New York: George H. Doran Company. 250 pp.

Dr. McKeever thinks of government not merely in terms of machinery, but in terms of humanity. As against a democracy that exists only on paper, he believes that men will have a free government just as soon as they create it through their personal, living experience, and he turns to the young generation for a new starting point. He examines the general inherent nature of childhood, seeking a clew to the direction along which child development may be guided to a realization of the democratic experience he describes. He analyses the child instincts of play, work, personal and group combat, and social contact with his age and kind, to learn their real significance, maintaining that if these basic human impulses are rightly studied and understood they furnish the most reliable key.

Dr. McKeever believes that the superman, erected so laboriously, and now demolished so completely, will be replaced by the "great common man" inherent in American life. He foresees a redirection and readjustment of commercial affairs by which business will be measured in terms of service, somewhat as it was during the war. Business must be thought of primarily not for profits but for its contribution to the common human need. Labor, too, will be a means of salvation; not merely concessions of wages and hours will give laboring men the right attitude toward their work; the child impulse for creative work must be preserved and developed, so that men will find satisfaction in work as service to humanity.

The author extends his forecast in many other directions. Motherhood will have a new interpretation; instead of merely physical, it will be also spiritual and universal, as is the motherhood of Jane Addams. As part of democracy, religion will be the search for the divine, not in the abstract, but in the concrete study of men. Health will be as inherent a right as food, shelter and schooling, and as accessible. Loyalty will be man's reaction to the discovery of his unity with the life of common mankind and the resultant inner conviction of his duty to support any course of endeavor which tallies most closely with the inherent demands of the race. War will give place to physical combat for constructive social purposes, of which the building of the Panama Canal is perhaps a prototype. These examples are suggestive of the new democracy which Dr. McKeever proposes as a substitute for the superman, and for which, he contends, the time will be ripe whenever the nation's thinking makes it so.

Russell Ramsey.

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A New Municipal Program. Edited by Clinton Rogers Woodruff. New York: D. Appleton & Company, 1919. 392 pp.

One of the founders of the London Fabian Society explained the tremendous influence of that small group of individuals by the fact that they had given much study to all the important public questions of the day and always had a clear-cut and definite program ready to offer when problems reached the stage where action was necessary. The group of reformers with a well-considered program will everywhere exercise an influence far in excess of its numerical importance.

There are various ways, however, of making up programs of constructive reform. A common method is for a group of like-minded enthusiasts to organize, under the domination perhaps of a single individual, and seek by propaganda and skilful publicity to inculcate reform ideas. Another, and a contrasting method, is to bring together intelligent citizens, holding varied and independent views, and construct a reform program from the common ground of principles and methods which all can accept. This is not the procedure of the radical reformer and propagandist, but experience shows that it is the way to achieve substantial and lasting results. This was, in effect, the method adopted in 1897 by a group of municipal reformers who saw the need and opportunity for a municipal program. The National Municipal League, organized in 1894, after three years of patient work by committees, discussion and criticism, formulated and adopted in 1900 the Municipal Program, which has stimulated and guided to an incalculable degree the rapid progress achieved in the last twenty years in municipal government.

So potent was the virus of reform that by 1913 the Program had ceased adequately to represent the common ideals of forward-looking students of municipal government. The League, therefore, appointed another committee to reconsider the principles and revise the framework of an efficient municipal government.

The central feature of the New Municipal Program, formulated by the same painstaking care, through conference and discussion, that marked the original Program, is the commission manager plan of city government. Through this Program the National Municipal League indorses the commission manager type as the ideal form of city government—that is, until more experience and new discoveries result in discarding the city manager in favor of some still more efficient type.

The present volume not only contains the text of constitutional provisions or municipal home rule recommended for incorporation in state constitutions, and the revised model municipal charter, but also illuminating and authoritative chapters on each of the important features of the charter, by members of the committee. The subjects treated in this way include the following: Experts in municipal government, by President Lowell; civil service, by Mr. Foulke; home rule, by Prof. Hatton; electoral provisions, by Mayo Fesler; the short ballot, by Mr. Childs; administrative organization, by Herman G. James; the council, by Prof. Munro; the initiative, referendum and recall, by Mr. Woodruff; franchise policy, by Dr. Wilcox; financial provisions, by Prof. Fairlie; city planning, by M. N. Baker; and business management of the courts, by Herbert Harley.

Wherever constitutional provisions relating to cities or city charter making are under consideration the New Municipal Program will be the most indispensable general guide to intelligent discussion. Its influence in shaping legislation and directing the evolution of municipal government in the coming decades is certain to be very marked.

C. C. Williamson.

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Government Ownership of Public Utilities in the United States. By Leon Cammen. McDevitt-Wilson, N. Y., 142 pp.

For a number of years the author of this brochure on government ownership was an official of the former Russian government, traveling and studying throughout Europe, and finally coming to the United States to complete an education in engineering, and incidentally political science. Mr. Cammen, therefore, discusses his subject not only from an American point of view, but with a background of European experience and study in similar fields.

The author is strongly opposed to government ownership,—particularly of railroads. Such opposition is based upon the supposed economic and political difficulties which will arise when a great transportation industry touching the welfare of all other industries is managed from Washington. A dismal picture is portrayed in which the spirit of democracy is destroyed, state sovereignty is intruded upon, flexibility of railway construction ceases, a host of public employes is intruded into politics, courtesy ends, "pork barrel" expenditures begin, senators' sons-in-law displace capable executives, and the service goes to pot by stopping the competition that goes with private ownership.

Mr. Cammen is pessimistic, and supports his pessimism with a number of instances from the present situation, and apparently most patrons of the railroads are in the same frame of mind.

As a solution for the situation the author offers co-operative regulation by the federal government and the states, both of which now have constitutional rights of regulation. He would divide the country into possibly six districts, with direct control in each by a board consisting of public utility commissioners, railroad officials and representatives of organizations of shippers. Matters affecting two or more districts would be handled by representatives of those districts.

Lent D. Upson.*

◆

American Marriage Laws in Their Social Aspects.—A Digest. By Fred S. Hall and Elisabeth W. Brooke. New York: Russell Sage Foundation. 132 pp.

Some one once defined marriage as the first step toward divorce. There is more significance than mere wit in this cynicism in its relation to the divorce problem. There is now a definite connection recognized between divorce and marriage laws, yet much more attention is paid to the former than to the latter. This digest of our marriage laws is therefore of very real value in helping to understand a vital social problem. In addition to a digest of laws by states, it contains a useful digest by topics, as well as a number of proposals for marriage law reform.

◆

Italian Women in Industry. A Study of Conditions in New York City. By Louise C. Odencrantz. New York: Russell Sage Foundation. 345 pp.

The success of efforts at Americanization depends largely on our own ability to find out where we stand in relation to the hundreds of thousands of foreign-born who are among us; to learn how they work and play, what are their struggles and successes, their problems and discouragements. This defines the value of the industrial investigations undertaken by the Russell Sage Foundation, one of which is made the basis of the present volume. The author has covered in her investigation and report such subjects as the families of Italian working women, their occupations, work places, hours of work, wages, education, training, etc. The book contains a number of valuable tables, and is a material contribution to our industrial literature.

◆

Punishment and Reformation. A Study of the Penitentiary System. By Frederick Howard Wines, LL.D. Revised by Winthrop D. Lane. New York: Thomas Y. Crowell Company. 481 pp.

Since Dr. Wines last revised his own book in 1910, so many fundamental changes have occurred in penology that further revision was urgent. This has been admirably accomplished by Winthrop D. Lane, himself an investigator of first-hand material. Mr. Lane has retained unchanged the first ten chapters of Dr. Wines' book, and part of the eleventh, combining with them his own new material in the form of a new conclusion of the eleventh chapter and four supplementary chapters. In this revision he has covered from the latest standpoint the study and treatment of delinquents, the development of self-government among prisoners, and an analysis of causes and prevention of crime additional to those originally examined by Dr. Wines.

II. REVIEWS OF REPORTS

Housing and Town Planning in Paris.—A report of the office for cheap dwellings of the Department of the Seine from July 10, 1916, to December 31, 1918, with its numerous and lengthy *annexes*, is an excellent summary of housing and city planning conditions, activities and projects for Greater Paris from *pre-war* times to the first of the present year. It reveals the fact, well known to students of municipal affairs, both in and outside of France, that, noted for its architectural and civic achievements in the past, France at present in housing and city planning,—the civic activities now recognized as paramount,—lagging behind the other progressive countries of Europe. This the report, far from disguising or minimizing, states most emphatically. France has no city planning law; Greater Paris has no official plan; Paris is probably the most congested of all the great cities of Europe. The fact that Frenchmen know this is nothing new,—they have fully realized it for many years; the significant thing is that they have begun to do something about it.

Government aid for cheap housing began in

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* Detroit Bureau of Governmental Research, Inc.

France in a small way in 1852. In 1889, the French Association for Cheap Dwellings was founded and in 1894 local committees to encourage and supervise the work,—a most important feature of the law which has worked well—were authorized. Government aid on a substantial scale, however, was first provided for under the law of April 12, 1906, which, with those of April 10, 1908, and December 23, 1912, are the basis of the present system.

The law of December 23, 1912, created the Public Offices for Cheap Dwellings, through which cities conduct their housing activities. These offices are authorized to construct cheap dwellings, improve the condition of existing dwellings and lay out garden cities. For this latter purpose 10,000,000 francs was recently granted the office of the Department of the Seine, and the money practically all spent in the purchase of land in various environs of Paris, as the best method of relieving the congestion of the city, the office being given the power of eminent domain as an aid in the acquisition. The intention of the office is to sell land for housing, use the proceeds for building houses, and endeavor to obtain additional appropriations from the state to construct more. The need, as a part of these schemes, of transportation to these remoter suburbs, heretofore practically non-existent, and of a plan of Greater Paris, are insisted upon.

Special emphasis is laid upon the necessity of preventing all speculation which is sure to occur if land is sold in fee. The English and German systems of preserving the unearned increment for the good of the community,—the long lease of the land, the sale of hereditary building rights, retaining the fee (Erbbaurecht), the right of repurchase (Wiederkaufsrecht), the building by the public, and granting to the tenant of extensive, heritable rights of use, the public retaining the fee—are all fully discussed. The need in any case, of strict zoning, protection of aesthetic and other amenities so dear to Frenchmen, and the furnishing of schools, amusements and all the features of normal life, are dwelt upon. A system of streets, a compromise between the rigidly straight, so often found in America, and the needlessly curved, formerly common in Germany, is suggested. The need of the group house is recognized. The disadvantages of high dividing walls between lots, so general in France, is pointed out. A competition between artists and construction by several instead of a single architect for an entire suburb is suggested; but the advantages of aesthetic control are insisted upon.

In France as in this country, increased costs are a serious problem, building costs having tripled there since the beginning of the war, with no indication of lower figures for the future. The only remedy suggested is the frank recognition that cheap housing is a public necessity and the providing of such housing, so far as necessary, a public function. The report suggests government loans at 2 per cent and 2½ per cent, subventions, and, for houses built by cities, the payment by the state of the difference between present building costs and costs at a normal to be determined hereafter. The only other remedy, as the report points out, is philanthropy, which is neither adequate nor desirable. This report is most instructive reading for us, and the suggested solutions most helpful in the effort to deal rightly with our own housing problems.

Frank B. Williams.

◆

The Newsboys of Cincinnati. By Maurice B. Hexter. Studies from the Helen S. Trounstine Foundation. Vol. 1, no. 4, January 15, 1919. 177 p.

This is the most thorough and scientific study of the newsboy that has come to the attention of the writer. Apparently nothing has been left undone to get all the facts that could have a bearing on the newsboy problem in Cincinnati. The study is also a model in arrangement and presentation.

The author had himself been a newsboy only fifteen years ago, but he does not rely on that experience or his own observations for his information. In order to get the necessary subjective acquaintance with the newsboy and his life, investigators were employed to become newsboys. The principal topics investigated were the economic and social status of the newsboy's family, the newsboy and delinquency, truancy and retardation, health and legal status.

Although the impression is quite general that newsboys are the support of widowed mothers, in Cincinnati at least only one in seven is the child of a widow. Only four per cent of the families need the newsboy's earnings to maintain a normal standard of living. Economic necessity is a very small factor. The average newsboy earns only twenty cents a day. Newsboys are twice as truant as other boys and though less mentally deficient than the average, they show excessive retardation in school. Medical examination shows they have three times the normal amount of heart trouble and a disproportionate amount of flatfootedness and throat troubles.

The author recommends that an ordinance be passed forbidding the employment of any boy under sixteen as a newsboy. Crippled veterans from our army, he believes, should be given a monopoly of the newspaper selling business. This is urged as necessary for the sake of the veterans.

C. C. W.

❖

The Block System in Detroit.—The Detroit bureau of governmental research has convinced the board of assessors that the block system of describing property for taxation should be adopted. There has been some controversy over this matter for some time in Detroit. It seems rather curious to one accustomed to the accuracy, simplicity, and economy of the block system that anyone should object to it. The system involves the description of each parcel of real estate by reference to the Tax Map. The city is divided into blocks, the boundaries of which are permanent. The blocks are numbered consecutively and the lots within the blocks are numbered consecutively. The description in the assessment roll of the real estate is fully accomplished by the use of three numbers. It is a little odd that, in the bulletin of the bureau, tax maps are referred to as land value maps. The latter are for an entirely different purpose, being merely a convenient method of exhibiting the unit values of land.

❖

"Public Ownership," the news letter of the Public Ownership League of America, 1439 Unity Building, Chicago, Illinois, has attained printed form in exchange for the mimeographed style it previously wore. This improvement reflects the growth of the organization set forth in the annual report contained in the current issue. The high spots in the report are the national interest aroused in the railroad question, the agitation in many important cities for municipal ownership of street car lines, electric plants and other utilities, and the increased attention given to the problem of natural resources. To keep pace with the increased activities of the league the financial resources were more than doubled during the last fiscal year, and plans are announced for largely increasing the income this year.

❖

"Home Rule for Cities" is the title of a sixteen page pamphlet by Charles M. Fassett, mayor and commissioner of public utilities of Spokane, Washington. Mayor Fassett points out, with a good deal of feeling and apparently considerable first-hand knowledge, some of the absurdities involved in giving state legislatures control over the details of the administration of cities. The public utility and other "interests" are blamed for the condition under which city councils are "hampered, hamstrung and hog-tied." In contrast to the legislatures, Mayor Fassett finds that the "city councils are in continuous session, their acts open, their processes generally clean, their members closely in touch with and responsible directly and continuously to the voters who elect them." C. C. W.

❖

Model Plan for State and Local Taxation.—The committee of the National Tax Association appointed to prepare a plan of a model system of state and local taxation has submitted a report which is impressive for its thorough treatment of the subject and its clearness of presentation. The broad, general principles laid down in the report seem to me to be sound beyond question. Personally I do not believe that there is any real gain from the taxation of tangible personalty. Though it yields considerable revenue at present, it is difficult to reach, being for the most part movable, unless rates are substantially uniform; and it seems to me that the business tax, supplementing the personal income tax, would adequately reach such wealth. However, as is pointed out in the report, the treatment of tangible personalty does not vitally affect the general plan.

In matters of detail the committee has wisely left such latitude of choice for adapting revenue systems to varying conditions that it is impossible to quarrel with them.

Mabel Newcomer.

❖

"Civil Service as a Career" is a pamphlet just issued by a Washington correspondence school (Washington civil service school, Marden building, Washington), ostensibly for the purpose of attracting pupils. It gives an accurate and concise panorama of the opportunities for the jobless in the service of the federal government, and in view of the discontinuance of the United States Civil Service Commission's "manual of examinations," formerly published semiannually, it will serve also as a useful book of reference. Earl P. Hopkins, president of the correspondence school in question, is the author, and it is evident that he has an interest in and knowledge of the public service beyond what is necessary for the pecuniary purposes of his business. He may be forgiven if he has at one or two points gilded a little too thickly the prospect that opens before the federal civil servant to-day. W. A. B.

◆

Increase in Municipal Electric Light and Power Stations.—According to the Bureau of the Census, the number of electric light and power stations in the United States in 1917 was 6,541, of which 2,317, or 35.4 per cent, were municipally owned. The increase in municipal plants between 1907 and 1917 is given as 85.1 per cent, whereas the increase in commercial plants for the same period was 22 per cent.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

New York Tries a New Form of Public Service Commission.—To understand the status of New York City's dual rapid transit system it is necessary to recall the friction between the public service commission of the first district, on the one hand, and Mayor Hylan's board of estimate, on the other, which developed at the beginning of the Tammany administration in 1917. The points of difference involved were the appropriation of funds for completing the rapid transit system and the propriety of raising fares. Even in the case of one company where the commission deemed a higher fare justified, the board of estimate refused to sanction any change.

While Mayor Hylan and the chairman of the commission pursued their controversy in the newspapers the progress of the rapid transit construction was interrupted and engineers were laid off for lack of funds, until it became evident that something must be done if the city's huge investment in the dual system was to be promptly and properly utilized for the relief of existing conjestion of traffic and population. Nothing substantial was accomplished, as long as Governor Whitman held office; but with the election of a Democratic governor, jointly with a Republican legislature, a new situation developed in the shape of a deadlock in the legislative machinery at Albany. The Democratic device to reorganize the public service commission, with its lucrative positions and control of large contracts, was blocked by the Republican determination not to permit such a change.

However, the Republicans finally realized that with a Democratic governor able to veto any bills they might pass, some kind of deal must be made if any Republican measures were to become law. It was also realized that the deadlock in New York City in the rapid transit situation was a serious one for the public interest. The Republicans, therefore, consented at length to a reorganization of the New York city commission.

Meanwhile there arose considerable agitation to have the completion of the rapid transit lines turned over to the board of estimate, as being the appropriate body to direct the construction, since it already had the sole right to appropriate funds for the work. Notwithstanding this, it was finally decided to have the state retain the oversight of the building program, by providing for a construction commissioner for the first district of New York city, appointed by the governor, the regulatory work to be entirely separated and put into the hands of a single regulatory commissioner, also appointed by the governor. As opposed to the original plan of having the public service commission of the first district (consisting of five commissioners) handle as one body both regulation and rapid transit construction, the new plan provides for only two commissioners, with wholly separate functions. Three deputies are provided for the regulatory commissioner and one for the construction commissioner.

The provisions for a single and independent construction commissioner is open to considerable criticism. The combination of duties under the original commission worked well on the whole, and the advantage of the change is not clear. Moreover, it is a question whether there is any need for a construction commissioner at all, because the rapid transit plans are all made, and comparatively few contracts remain to be let. The experienced engineering force of the former commission was quite competent to complete the work with a minimum of supervision. It was perhaps too much to expect the abolition of any lucrative offices that might be filled by Democrats. Hence the plan for a construction commissioner.

It now remains to be seen whether two single and independent commissioners are as satisfactory as the group of five, initiated under the administration of Governor Hughes in 1907. The change is in line with the tendency towards centralization of authority, and, in the case of rapid transit construction, there may be some advantages in having one person settle all questions, especially an appointee like John H. Delaney, who is in complete accord with Mayor Hylan's administration, and who has been promoted from the office of commissioner of plant and structures.

Where the regulation of corporations is concerned, and such vital questions as the raising of fares are up for consideration, there is a question whether the public interests would not be more effectively safeguarded by a regulating commission of three or five men. It is much easier for corporations to influence or control one man than three or five, and the present regulatory commissioner, Lewis Nixon a former leader of Tammany hall, is already giving out very disquieting interviews favoring the raising of fares in New York city. With the city committed to a five-cent-fare policy, guaranteeing any deficit on the rapid transit lines; with the mayor and the board of estimate standing firm for a five-cent fare; and in face of the almost universal failure of higher fares all over the country, it is very hard to reconcile Mr. Nixon's position with that of the public interests. The progress of his administration must be watched very critically to detect any signs of undue corporation influence.

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Right of "Home-Rule" Cities to Determine Public Utility Rates.—The Mountain States Telephone and Telegraph company (Colorado) has been granted a rehearing by the state supreme court in its battle to secure the right to charge the rates granted it by the public utilities commission. On the motion for a rehearing the court was divided four to three.

The right of the public utilities commission of Colorado to regulate public utility rates in home rule cities, such as Denver, formerly was denied by the supreme court, the tribunal holding that the right was vested in the cities themselves.[1] The case is considered an important one in that the decision will affect rates charged by the Denver gas and electric light company and the City tramway company.

*

Registration of Births and Deaths.—The American Medical Association has issued the following concise statement of the argument for adequate birth and death registration laws:

> Proper registration of births and deaths is of great importance to the adult members of any community. Not only are such records necessary for the accurate study of disease and its prevention, but they are also of the utmost importance in all questions relating to heredity, legitimacy, property rights and identity. No child labor law is of value, unless it rests on a system of birth registration and birth certificates, by which the child and the parent can be required at any time to produce positive proof of the age of the child. Laws regulating the age of consent cannot be rigidly enforced, so long as the question of the age of the girl depends on the statements of interested persons rather than on official state records. In practically all other civilized nations, proper registration of births is accepted as a matter of course. Europeans look with astonishment upon the American people, when they learn that there are at present only eleven American states, and the District of Columbia, which have any adequate birth registration. These states are: Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Maryland, Michigan and Minnesota. Resolutions adopted by the General Federation of Women's Clubs at San Francisco recognized the fact that proper registration of births is absolutely essential for the effective operation of the children's bureau which was established by the federal government in 1913, and of which Miss Julia Lathrop of Chicago is the chief.
>
> Equally important is the proper registration of deaths. No civilized community should allow a human being to die and be buried without a proper official record having been made of the fact. Such records are indispensable in determining death-rates, proportion of deaths and births, duration of life, rates of life insurance, etc., and in preventing and detecting crime.

The association offers a model bill for a state law governing the registration of vital statistics based on the Pennsylvania law, which has proven most effective. On the other hand, Sam L. Rogers, director of the federal census, proposes federal registration with state co-operation, supporting his suggestion in a statement from which we quote:

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[1] See NATIONAL MUNICIPAL REVIEW, vol. viii, p. 205.

> Thus far our registration of births and deaths has been under the control of state and local authorities. In some parts of the country good registration laws have been enacted and are being well enforced, but in other sections little has been done. The net result is that only 30 of the 48 states are now registering deaths and only 20 are registering births in such manner as to make the results useful. To be sure, conditions are improving each year, and the states are realizing more and more the importance of complete registration of births and deaths, but if the enactment and enforcement of adequate legislation be left to the states it may be a hundred years before birth and death registration will be even approximately complete throughout the United States.
>
> On the other hand, federal control would insure at once the uniform enforcement of registration throughout the country. With a federal law making compulsory the proper registration of births and deaths, providing penalties, and empowering the federal government to prosecute when necessary through the customary procedure, the existing registration machinery in the various states if kept to the federal standard might be continued. In fact, if there is any fear on the part of the states that the federal government would with such a law usurp some of the privileges of the states, then state rights might well be safeguarded by granting to the federal government power to prosecute only when requested to do so by state authorities. Hearty co-operation between state and federal health authorities has been especially in evidence of late in combating influenza and venereal diseases, and there is every reason to believe that the same co-operation could well be extended to the registration of births and deaths by the enactment of a federal law.

◆

Lawrence (Mass.) Invokes Town Meeting to Probe Financial Condition.—An interesting Massachusetts law, providing a method of calling a town meeting of registered voters, at which city officials are obliged to appear and submit to examination of their official conduct, has been invoked in Lawrence for the purpose of investigating the financial condition of the city. At the instance of Edward S. McAnally, the prime mover in the project, the meeting appointed a committee of five, of which Mr. McAnally was made chairman, to conduct an examination of the mayor, aldermen, and other city officials.

As the result of several sessions of the town meeting, at which the city officials were publicly questioned under oath, it was shown that the city's financial condition is grave. According to the evidence, politics permeates almost all city departments and seriously hampers the public work; the city payroll is overburdened; and officials exercise a willingness to spend public funds without consideration of the taxpayers' interest. Specific instances of waste, over-employment, and failure to collect taxes were uncovered. As a result, with the maximum tax rate permitted, the city faces a deficit of $7,000 for the coming year, and is within about $250,000 of its borrowing capacity.

The mayor, who is also director of finance, was able to outline no plan of action to the committee, and offered no recommendations for economies, except to discontinue the city's child welfare work and to dispense with a handful of firemen and police. Later he added to these recommendations that of an increase in property assessments, and showed ignorance of city charter provisions by advocating an increase in the tax rate, which is already fixed at the maximum point allowed by law.

Thereupon the examining committee took it upon themselves to submit to the town meeting a number of suggestions, which were approved and offered to the city council for its action. These suggestions related to the adoption of scientific methods in property assessments; maintaining the city tax rate at a point lower than the state tax; the collection of delinquent taxes and their application to the reduction of the outstanding temporary loan; the establishment of a city fire fund; and the general economical administration of the city government.

Greater than the specific recommendations adopted is thought to be the moral value of this rather unusual method of spurring municipal officials. It is, therefore, planned to hold further sessions of the town meeting from time to time to keep it alive, in order that it may not be necessary to go again through the formality of getting signatures and calling a new meeting. Under the law the city officials are obliged to respond to calls to this meeting as long as it is kept alive.

◆

National Department of Public Works.—At a gathering of representatives of 71 technical societies, which met in Chicago April 23–25, the engineers, architects and constructors conference on National Public Works was organized to promote the establishment of a national department of public works. M. O. Leighton, Washington, D. C., secretary of the National Service Committee of the Engineering Council, was elected permanent chairman of the executive committee, and E. S. Nethercut, secretary. A committee on the text of the bill and a campaign committee were also constituted.

The proposal of the conference is to group within a national department of public works—a bureau of public roads; the United States reclamation service; the Alaskan engineering commission; the construction division of the army; a bureau of river, harbor and canal work, including such functions as are now exercised by the Mississippi river commission and the California débris commission; a bureau of architecture; a bureau of surveys, including the coast and geodetic survey; a bureau of mines; the geological survey; the forest service, at least until the same is divorced from the supervision of water powers and road building; the bureau of standards.

It was thought to be unwise to determine at this time to what extent the proposed department of public works should control the engineering activities of the general land office, the National Park Service, the bureau of lighthouses, the bureau of Indian affairs, the public health service and various commissions, such as commissions on buildings and grounds, and it was, therefore, suggested that considerations of such matters be deferred to a later date, preferably until the department has been organized. As the department of the interior employs at this time more engineers than any other department in the world, it was decided that the department was the one most adaptable to being transformed into a department of public works. To this department it is proposed to transfer the various bureaus now operating in other departments and to detach many of the bureaus now included in the department of the interior.

The inability to secure an additional department and cabinet member was well understood and the proposed plan follows the line of least resistance.

◆

Federal Aid in Establishing Municipal Airplane Landings.[1]— The government's plan for co-operating with municipalities in the establishment of airplane landings and creating a system of aerial highways, capable of use for military, postal, and commercial purposes, has been announced by the air service of the United States army. It was also made known that the air service, co-operating with the Post Office department, hoped in the near future to aid in the laying out of air terminals in at least thirty-two cities and towns from the Atlantic to the Pacific, and from the Canadian border to the Gulf of Mexico. These points range in size from New York city to Flatonia, Texas, and have been selected for their fitness as places on a national system of air lanes. The new landing fields are to be of four classes, according to the importance of the city, or its position with regard to military, postal or commercial uses. No field should be proposed, the announcement states, unless it is capable of expansion, because the air service is looking ahead to the day when aerial navigation will challenge the older means of transportation.

◆

Municipal Housing in Pittsburgh.—Pittsburgh has in force a graded tax law which penalizes vacant or unimproved property for the purpose of stimulating the use of such land. At the same time the city itself owns about 2,000 vacant lots, acquired by sheriff sale or otherwise. On this property, to some of which the city has had title for forty or fifty years, it collects no taxes and has made no improvements. Very properly it has been suggested that this land might be used to help relieve the housing situation. In response to an inquiry from the city council, the city solicitor has submitted an opinion in which he holds that the construction of houses on municipally owned property, at the expense of taxpayers, for the purpose of renting these houses and deriving a revenue, no matter how small, is not a function of municipal government and would be unconstitutional. However, he indorses, as legal and desirable, the proposition that the city sell building lots to individuals who would agree to build homes thereon, submit the plans and specifications to the city council, and agree that for a period of years the rent asked would not exceed a stipulated price, in consideration of which the city might sell these home sites at a price less than current values. Another suggestion, made by a member of the city council, is that the city lease lots to individual home builders, making a permanent lease in consideration of the payment of taxes and a nominal rent of 4 per cent per year. An ordinance embodying this idea is pending in the council. A bill, introduced at the last session of the Pennsylvania legislature, empowering municipalities in the state to acquire property for development and for the erection of dwellings, was allowed to die in committee.

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[1] See NATIONAL MUNICIPAL REVIEW, vol. viii, p. 262.

✣

Municipal Home Rule Amendment Progresses in Wisconsin.—After overcoming persistent opposition, the advocates of a constitutional amendment for municipal home rule in Wisconsin succeeded in getting the amendment past the legislature. It is necessary to have the amendment adopted by the next legislature also before it can be submitted to a popular vote. The credit for the present achievement is due largely to the league of Wisconsin municipalities, whose members are gratified by their success in obtaining the first passage of the amendment, usually a more difficult task than the second passage.

✣

County Classification in Pennsylvania.—The Pennsylvania legislature at its recent session passed a law dividing the counties of the state into eight classes, according to population, for uniformity in legislative enactments. The eight divisions of population are (1) 1,500,000 or over; (2) 800,000 to 1,500,000; (3) 250,000 to 800,000; (4) 150,000 to 250,000; (5) 100,000 to 150,000; (6) 50,000 to 100,000; (7) 20,000 to 50,000; (8) less than 20,000. The classification is to be determined from time to time by reference to the decennial federal census.

✣

Illinois Community Councils Plan Activities.—Responding to the request of the field division of the council of national defense for the establishment of community councils, the Illinois state council has appointed Allen D. Albert, a specialist in community problems, as special representative. Already about 60 community councils have been organized in Illinois, their program including the establishment of community memorial houses, new high school buildings, organized recreation, improvement and use of parks, town planning, improvement of water supply and sewage systems, and better housing.

✣

Septic Tank Litigation.—A tentative agreement has been reached between the National Septic Process Protective League, organized in 1916 by representatives of cities operating modern sewage disposal plants, and the Cameron Septic Tank Company, whereby the league is to pay $5,000 to the company, which in turn will release each member of the league from "any and all claims of infringement, damages, profits, or otherwise, arising in any manner under the Cameron patent."[1] As this amount is far less than the cost of taking through the courts the one infringement suit now being defended by the league (namely, that against Shelbyville, Kentucky), the league's attorney advises acceptance of the offer, notwithstanding his confidence of winning the case. The execution of the agreement depends upon the acceptance by the cities constituting the league of a plan submitted by its officers for raising the necessary fund by assessment.

The acceptance of the offer means an end of litigation for all league members. While undoubtedly some users of septic tanks are not members of the league, probably most of them are, so that this settlement will substantially eliminate the Cameron litigation which has been carried on against various cities since 1906.

✣

Recreation Facilities of New York City to Be Studied.—With the indorsement of the city committee on recreation of the New York community councils, the associate alumnae of Barnard College have undertaken an investigation of existing recreations—philanthropic, public, and commercial—in New York as a basis for planning community recreation enterprises that shall be co-operating and self-supporting. Methods of finance, organization, program of activities, and architectural arrangement of a new type of recreation center will be included in this study.

✣

Active Demand for Municipal Bonds at Good Prices.—Efforts to promote needed public improvements, and at the same time to provide employment for discharged soldiers and sailors by stimulating public work, are both reflected and encouraged by the condition of the market for state and municipal bonds. A year ago it was reported that the volume of state and municipal financing for the first six months of 1918 was smaller than for any similar period in ten years or more. According to figures compiled by the *Daily Bond Buyer* of New York, the financing by states and municipalities so far this year was more than twice the corresponding total for last year and greater than the volume in any similar period on record with the exception of 1914 and 1915. The removal of all restrictions placed on local government financing during the war period has resulted in the greatest activity ever known with respect to the making of public improvements and apparently this movement is only commencing. In spite of the supply of new bonds coming into the market, prices are rising steadily and there is no sign of any early lessening in the demand. The outlook is for a very active and strong municipal bond market during the next year or more.

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[1] See NATIONAL MUNICIPAL REVIEW, vol. vii, p. 230.

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Ithaca, New York, Turns Down Plan C.[1]—Ithaca, New York, at a special election held June 10 voted on the adoption of a city manager form of government and turned it down by a vote of 1,411 to 250, only 33 per cent of the registered voters participating. Reactionary? Not necessarily. It all depends on whether or not Plan C, one of the six optional plans for cities of the second and third classes in New York, can be taken as a touchstone of progress. Apathetic? Many voters did not consider it worth their while to go to the polls, for the defeat of Plan C was a foregone conclusion. Quite a number, it is true, were indifferent.

Plan C provides for a city manager plan of government. The commission would consist of a mayor and four commissioners elected at large for a term of four years at a salary of $500 a year. Under existing laws no provision is made for non-partisan nomination, initiative, referendum or recall.

Many of the needed signatures on the 10 per cent petition calling for this special election had to be secured through paid solicitors. There was no popular demand for Plan C at the time nor did any demand develop during the campaign.

Both of the local dailies invited discussion in their columns and published numerous local contributions besides a series of letters from cities operating under a city manager. Leading local organizations took up the question and heard the best talent on both sides.

The proponents of the new plan pointed out the shortcomings under the present charter—which turns over most of the administration of city affairs to a number of appointed boards and commissions, chief among which is the board of public works. They argued the advantages of centralized power and responsibility in securing economy and efficiency in city government. An appeal was made to progressive men and women to adopt an up-to-date form of government and line up Ithaca with other progressive cities.

Opposed to the plan were, of course, conservatives constitutionally opposed to any change. They were confirmed in their conviction by the general admission that there had been no serious mismanagement under the present charter. Ithaca's financial accounts are in good order and a reasonably satisfactory budget system has been in operation for some time.

The fire department feared that the new plan would interfere with their present position of relative independence. Since this department is well-organized and popular, with over 500 volunteers in its ranks, its influence was marked.

Able men, technical experts and others, have given their time and valuable services freely on the various boards and commissions under the present charter. Many citizens doubted that equally competent men could be induced to serve under a different plan except at high salaries.

Some who were legalistically inclined tried to figure out just how much of the present system would be displaced by Plan C. Would not adopting Plan C be like putting a piece of new cloth unto an old garment?

Many loyal friends of good government who might have taken the lead in a campaign for a Lockport or a Dayton plan were strongly opposed to a plan under which the government of the city would be turned over into the hands of a commission of five nominated at partisan primaries and elected for a four year term with no provisions to safeguard the public interests if these men should prove incompetent or worse—no referendum, no initiative and no recall. The $500 salary for the commissioners met with general disapproval. Friends of Plan C admitted its imperfections and publicly pledged themselves to work for remedial legislation at Albany if the plan were adopted.

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[1] Ordinarily the NATIONAL MUNICIPAL REVIEW can devote but few lines to recording the adoption or defeat of the city manager plan. An exception has been made in the defeat of the plan at Ithaca, New York, because it involves the difficulty due to the law which needs revision, and Dr. Saby's article brings out very clearly the need for improvement in the New York legislation on that subject. Another correspondent points out the fact that the New York optional city charter law leaves too many important elements to be worked out by city ordinance, and expresses the opinion that the Ithaca voters—unsatisfactory as their present form of government is—preferred "the ills they have, rather than others they know not of."

The citizens of Ithaca did not vote for or against the city manager plan. They voted on whether or not Plan C should replace their present charter, and they decided against such a change. The old charter by no means stands on all fours with current progressive thought; but Plan C, the only alternative at this election, has in it even less of the spirit and substance of progress, though it may comply more fully with its forms. The optional city government law of New York is not what it might be.

Plan C deserved defeat in Ithaca; but unfortunately another result of this campaign and election will most likely be an undue opposition to any change for some time to come.

R. S. Saby.

Cornell University.

✦

City Manager Advocated for Troy, New York.—When Mayor Cornelius F. Burns, of Troy, New York, announced that he would not be a candidate for a fifth term, Trojans generally were skeptical. He has been retained in office by very large majorities for so long and with such general satisfaction that it hardly seemed possible that he wished to retire. Moreover it was remembered that he had made similar announcements before, but upon pressure had entered the campaign. Within a few days of his refusal to run, however, he intensified his statement by such strong confirmations that the city became certain of his intention.

The retirement of Mayor Burns has thrown open the door for new men in public life, and a score of names have been suggested. It is agreed that the pace the present mayor has traveled will make it a difficult matter for any man to follow him. The old-fashioned executive who spent an hour or two in his office, leaving details to subordinates, will not satisfy Trojans again. There is an increased feeling throughout the city in favor of a change in the type of government. This is due in part to the recent vote of Watervliet, a suburb of Troy across the Hudson river, to adopt a commission form of government, and to a growing feeling in Troy that it needs a new deal. While Mayor Burns has eliminated many sinecures and has introduced much modern bookkeeping, the political customs of Troy have prevented much that he presumably would have liked to do. It might be added that the mayor himself is an ardent advocate of the city manager and has talked it in season and out of season for two years. The *Troy Record*, the leading newspaper in the city, supported the commission advocates in Watervliet and favors a city manager for Troy. Several of the possible candidates for office have a similar view. It is suggested that possibly the new mayor may be elected with the city manager idea tentatively a part of his platform and that he may enter upon his duties with the intention of campaigning quietly toward this end throughout his term. At any rate the sincere devotion of the present mayor to municipal progress has created standards which naturally tend toward higher ideals of service.

Dwight Marvin.

✦

An Advanced Electric Power System for Spain.—There is an important lesson for the United States to be learned from the report of the permanent Spanish Electric Commission, which proposes a comprehensive national system for the generation and distribution of electric power. The main source of generation is to be the fairly extensive water power of the country. This will be supplemented in dry seasons by utilizing low-grade coal at the mine mouth, saving haulage and conserving the better grades of coal. A commission of the best scientific and technical men will direct the system. Thus backward Spain tackles a vital problem while our congress is trying to decide which private group of capitalists shall be the recipient of America's vast water power.

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Municipal Hydro-Electric Plants on the Pacific Coast.—Apropos of the foregoing paragraph, and passing to the municipal field, it is of interest to note that not only are San Francisco, Los Angeles and Seattle committed to extensive hydro-electric projects, but smaller cities are beginning to favor the municipal ownership idea, and there is ground for the belief that this may spread. A proposition is on foot at Oroville, for the city to buy the electric light system. The prevailing wholesale rate for electricity from this hydro-electric plant is 1 cent per kilowatt hour. This has determined the city to buy energy wholesale and retail it over its own distributing system, deriving a considerable revenue, the local papers have pointed out, through the difference between residence-lighting and wholesale rates.

II. POLITICS

New Charter Gives Philadelphia Better Chance for Decent Government.—In one of the most concise documents of its kind, Philadelphia has won a new charter providing for a single-chambered council of 21 members; municipal street cleaning and repairing, and garbage and waste removal; a shorter ballot; a budget system under a "pay-as-you-go" rule; elimination of the police and firemen from political activity under pain of discharge, fine and imprisonment.

Foremost among the provisions of the new charter is that of a small unicameral council, replacing the present unwieldy bicameral body consisting of 48 select councilmen, one from each ward, and 96 common councilmen. The basis of representation in the new council is the homogeneous senatorial districts, of which there are eight in the city. Thus the evils of petty ward politics are largely eliminated, while the disadvantages of electing the councilmen on a general ticket in a city of Philadelphia's size are avoided. Each senatorial district is entitled to one councilman for each 20,000 assessed voters or majority fraction thereof. A very interesting provision is that "if at any time hereafter the women of the commonwealth shall be given the right to vote, the unit of representation shall be 40,000 assessed voters instead of 20,000." Under this ratio the new council will contain 21 members. The credit for foreseeing the advantages of this mode of representation, and for devising the plan of utilizing the senatorial district as the councilmanic unit is due to Clinton Rogers Woodruff, secretary of the National Municipal League, who has frequently pointed out that such a body constitutes a form of representative government which the voters themselves can handle with a minimum of political organization.

Closely linked with the improvement in the form of the city legislature are provisions for paying each councilman an annual salary of $5,000, and prohibiting dual office holding, an evil which has blighted Philadelphia politics for years.

Other political changes embody a model civil service provision, and the prohibition of political activity or political contributions on the part of the police and firemen. Teeth are provided for the law by permitting any taxpayer to bring proceedings to have the employment of any offender declared illegal and to restrain payment of compensation to him.

The subjugation of Philadelphia to "contractor rule" is so notorious that the dramatic element is readily apparent in the vital provision that the city itself shall do its unspecifiable work, such as street cleaning and repairing, and the collection of ashes, waste, rubbish and garbage, except in special cases when a majority of all the members of the council, with the approval of the mayor, may otherwise direct. The vagueness with which such work must ordinarily be specified, and the latitude of interpretation permitted to political satellites in the rôle of minor officials, have in the past given rise to intolerable excesses on the part of political contractors. It was to correct these scandalous abuses, and to place such work on a basis of honesty and efficiency, that this provision was put into the charter and kept there in the face of the most violent opposition from those who have fattened on the city during a long period, which—be it hoped—is now ended.

Another long step in advance is constituted by the financial provisions of the new charter. The mayor is required to submit to the council by October 15 of each year a statement showing the estimated receipts, fixed liabilities, and proposed expenditures of the city for the ensuing year. This statement must be considered in open session by the council, which, not later than December 15, shall pass an ordinance setting forth the financial program for the ensuing year, at the same time fixing a tax rate that will produce sufficient revenue, with the funds from other sources, to meet the fixed liabilities and the current expenditures set forth in the council's financial program. The limit set in this program cannot be exceeded, and the city comptroller is forbidden to countersign any warrant pertaining to any of the appropriations until the council shall have first passed all appropriations necessary for the expenses of the current year.

Other reforms of only relatively minor importance are contained in the charter. The ballot is shortened by making the city solicitor appointive instead of elective; the bureau of health is raised to the dignity of a department; the bureau of charities is merged in a new department of public welfare; and a purchasing agent supplants the department of supplies.

Important legislation supplementing and vitalizing the new charter provides for the greatly needed revision of the assessors' list of voters; gives practical effect to the system of personal registration; encourages and defends independent voting by permitting a voter to mark a straight party ticket and at the same time mark a candidate in the column of another party; and otherwise restores the electoral machinery to the control of the voters, from whom it has in the past been wrested by the political machine.

The arduous task of preparing the new charter, and of guiding its progress through the legislature, was the lot of a committee of public-spirited men appointed at the "charter dinner" last December. Parenthetically it may be remarked with proper pride that practically every member of the charter committee was a member of the National Municipal League. The committee was under the able leadership of John C. Winston as chairman, while Thomas Raeburn White served as chairman of the sub-committee which drafted the bill. Senator George Woodward, a member of the charter committee, introduced the bill in the legislature.

It remains to be seen what use the voters of Philadelphia will make of the powerful instrument that has been placed in their hands. Theoretically the charter might have been improved by incorporating the principle of non-partisan nomination and election of municipal officials, and of compelling them to stand on personal merits without the aid of party names. But there is little doubt that political consciousness in Philadelphia does not yet require such advanced steps. The overwhelming vote by which the new charter passed the legislature is not significant of the extent of educated public opinion demanding it. An important element among the legislators who voted for the charter first out-heroded Herod in their efforts to kill or emasculate it, turning to its support at the last moment only for reasons of supposed political expediency. Without the utmost pressure from Governor Sproul and from Senator Penrose and his state organization—and, even then, without some compromises—the charter act would never have become law.

It is, therefore, for Philadelphia to live up to the charter she has been granted—rather than to bring the charter up to a higher level—and the body of leading citizens, who cannot be praised too highly for working incessantly for the achievement of the new law, and for fighting the harder at moments when fighting seemed all but hopeless, will do even a greater service if they will now give equal effort to making clear to Philadelphia the meaning and utility of the new bill of rights. This new charter, plus sufficient civic consciousness, spells the downfall of the contractor machine.

Russell Ramsey.

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Chicago's Election Reforms and Fiscal Program.—For several years Chicago's financial affairs have steadily grown worse. As we have previously reported,[1] conditions existing in December, 1917, prompted the city council to petition Governor Lowden to call a special session of the legislature to provide a remedy, to which the governor responded that he would do so when the council obtained the approval of some definite plan for legislation by the city's civic organizations. As an outgrowth of this suggestion, various civic bodies of Chicago did undertake to function in co-operation with the city council, not only with respect to revenue matters, but also in the formulation of a constructive program of legislative needs. The leading organizations participating in a joint conference were the association of commerce, the bureau of public efficiency, the Chicago real estate board, the civic federation, the city club, the citizens' association, and the woman's city club. Other organizations co-operating later in the movement included the Western Society of Engineers, the Chicago woman's club, the Cook County real estate board, the political equality league, the Chicago woman's aid, and the committee of one hundred.

The study which these organizations made of the conditions developed the conclusion that political changes as well as changes of policy were required to correct the situation, and that in fact the former were fundamental. The conference committee of civic organizations therefore formulated and approved in principle the features of a legislative program for Chicago. A committee representing the conference acted with a special committee of the city council in putting the principal points of this program into the form of bills for presentation to the legislature. The result was four bills, of which the essential features were as follows:

1. Non-partisan elections for aldermen, mayor,

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[1] National Municipal Review, vol. vii, p. 516.

city clerk and city treasurer, so long as they shall remain elective by popular vote.

2. Reorganization of the council by reducing the number of aldermen from 70 to 35, one from each ward, all elected at the same time, for four-year terms, subject to a limited popular recall, thus reducing the number of elections (each city election eliminated means of saving of about $700,000); this bill made the city clerk and city treasurer appointive by the city council; it also contained provisions calculated to insure that the city be immediately redistricted into wards of equal population.

3. Provision for a limited popular recall for mayor, after one year in office, on the same terms as for aldermen.

4. A manager form of government, the mayor to be chosen by the city council, and to hold office as its pleasure.

While there was general agreement on these bills, some reservations were made. The association of commerce, speaking through its executive committee, withheld indorsement of the city manager plan and the recall. The civic federation conceded the recall (on condition that it be limited in nature) only in deference to the view of many other organizations that approval of a four-year term for aldermen could not be secured without such a provision, and through a desire not to hamper the general program. The city council, on the other hand, indorsed only three of the bills, going on record as being opposed to the manager plan. It also recommended 50 wards instead of 35.

In spite of the lack of complete unanimity upon the manager plan and the recall, the conference committee of civic organizations favored the passage of all four bills, because even if approved by the legislature they required approval by a city referendum, and the committee advocated the giving of an opportunity to the people of Chicago to express themselves on the issues involved. The bills, however, were subjected to considerable modification by the legislature. The non-partisan election bill was made applicable only to aldermen. The number of wards was increased to 50, and the number of aldermen reduced to that figure, providing for one from each ward. The recall and the manager plan failed of passage.

The net gain of the program, therefore, is a council, reduced from 70 to 50 members, to be elected on a non-partisan ballot; but the bills embodying these provisions, as already stated, require ratification by a popular referendum. A subsidiary referendum is provided by which the voters may indicate whether they wish the aldermen elected for two or four years.

A bill was also passed discontinuing all legal holidays now allowed on account of elections, except the holidays falling upon the biennial general state election day.

On the financial side, the finance committee of the city council prepared a budget for 1919 amounting to $36,000,000 for general purposes, and requiring a tax rate of $2.85 in place of the existing rate of $1.20, which is the maximum allowed by state law. The bureau of public efficiency, acting specifically on its own behalf, but generally on behalf of all the groups, served notice that this was not satisfactory and that the council's proposal for an increased rate would be opposed unless there were conferences and agreement with the civic organizations. This notice was respected by the finance committee, and after much study the civic organizations proposed a reduction of the budget to $28,000,000, with a $2 tax rate.

The fight being carried to the legislature, a general tax rate of $2.15 was granted, based on existing valuations, and a time limit of three years was put upon this rate. Provision was also made for changing the assessed valuation of property from one-third to one-half of the real value for the purpose of increasing the bonding power of the city by about $27,500,000. In order not to increase the taxes unduly, the rate is to be simultaneously scaled down proportionately. This will mean that at the new valuation the rate for the city will be $1.43½.

The school tax was also increased from $1.20 to $1.80, the Cook County corporate rate from 45 cents to 55 cents, and a special tax of 4 cents for mothers' pensions was granted to the county.

As showing how many tax levying bodies exist in Chicago, the legislature had to pass about 60 tax levy laws adjusting the rates to the new valuation.

◆

An English Tax on Political Ambition.—Taking a sporting chance may become a popular effort among aspiring statesmen in England. The new election laws allow nearly anyone to become a candidate for parliament, but require that each aspirant post a forfeit of $750. If he obtain one-eighth of all the votes cast, a candidate's forfeit is returned to him. Otherwise his bet upon his own popularity goes to the public treasury.

III. MISCELLANEOUS

National Municipal League Prizes.—The committee on prizes has announced that the William H. Baldwin prize of $100 for 1920 will be awarded for the best essay, not to exceed 10,000 words, on "The Present Status of the City Manager Plan and Its Application to Small Cities and Towns," or "The Influence of Foreign-born Leaders in Municipal Politics." The prize is offered to undergraduate students registered in a regular course in any college or university in the United States offering direct instruction in municipal government. Essays submitted in this competition must be forwarded not later than March 15, 1920.

The Morton Denison Hull prize of $250 for the best essay on a subject connected with municipal government is offered to post-graduate students who are, or who have been within a year preceding the date of the competition, registered and resident in any college or university of the United States offering distinct and independent instruction in municipal government. Any suitable subject for an essay not to exceed 20,000 words may be selected by a competitor for the Hull prize provided it be submitted to the secretary of the league and approved by him at least thirty days before the time set for the close of the competition, which is September 15, 1920.

Duplicate typewritten copies of all essays in either competition must be delivered to an express company not later than the date set, addressed to Clinton Rogers Woodruff, Secretary of the National Municipal League, North American Building, Philadelphia, Pennsylvania, and marked "For the (insert here the name of the) Prize." Competitors will mark each paper with a *nom-de-plume* and enclose in a sealed envelope the full name, address, class and college corresponding to such *nom-de-plume*.

For any additional details concerning the scope and conditions of either competition, inquiries may be addressed to the Secretary.

◆

Cleveland's Lax Law Enforcement Criticised by Grand Jury.—A special grand jury which has been investigating crime conditions and the administration of justice in Cleveland severely criticised in its report the official conduct of the director of public safety and the county prosecutor, declaring them to be inefficient and unfit for office, and recommending their resignation or removal. The report also declares that the vice squad has failed to perform its duty; that pool and grill rooms are the rendezvous of criminals; that gambling, the selling of pools, and prostitution have flourished largely without interference; that the system of bail bonds furnished by city councilmen and other public officials is a travesty on justice; that by a certain class of lawyers exorbitant fees are exacted from unfortunates; that judges of the common pleas and municipal courts have too freely exercised the power of parole and of the suspension of sentences in criminal cases; that the non-partisan ballot in the election of judges has increased political influence in the disposition of criminal cases; that the exercise of the power of the director of public welfare to parole prisoners from the correction farm has encouraged the commission of crime; and that, in general, it is a collection of forces, rather than a single force, which has caused the criticism and "crime wave" in the county and city.

The grand jury also returned eleven indictments, most of them for perjury in connection with bail bonds.

Cleveland's crime investigation was instituted after Common Pleas Judge Willis Vickery, in November, 1918, issued a statement in which he said conditions in Cuyahoga county were alarming, and urged that the Cleveland bar association act to eliminate undesirable members of the profession.

Shortly after, a special investigating committee of the bar association was named. This committee reported that "justice in Cuyahoga county has broken down as the result of toleration, laxity and inefficiency in public office, and leniency to criminals."

A plea then was made for a state investigation of conditions, and Governor Cox named W. L. Day and W. D. Wilkin special state prosecutors, to conduct such a probe.

Since February Messrs. Day and Wilkin have served without pay in gathering evidence and presenting it to a special grand jury, authorized by a special act of the legislature. Hundreds of witnesses have appeared before the jury.

◆

A Notable "Welcome Home" Celebration.—Because of the centennial celebration of one of its industries, the town of Southington, Connecticut, will have one of the most elaborate "Welcome Home" ceremonies and festivities for its soldiers of any town of its size in the country.

The Peck, Stowe and Wilcox Company, hardware manufacturers, will celebrate on August 29 and 30, the closing of one hundred years of hardware manufacturing in Southington. In recognition of the occasion they are having built, to donate to the town, a massive memorial to all its soldiers, which shall serve as a base for a flag pole and flag, also to be given by this company.

The occasion will be utilized as a fitting one on which the town may pay honor to its returned soldiers of the great war, and also as a general "home-coming" time for former residents of Southington as well.

Speakers of national prominence, a pageant dramatizing the military and industrial history of the town and state, and a military parade will be other features of the celebration.

Ten thousand people are expected to attend a huge community picnic which the Peck, Stowe and Wilcox Company will give the day before these features of the celebration.

*

Municipal Shakespearean Performances.—London is to provide municipal Shakespearean performances for its school children, a significant innovation adopted at a recent meeting of the L. C. C. education committee. The decision came about as a result of a deputation received from the London Shakespeare League with reference to: (i) The question of the establishment of a municipal theatre for London; and (ii) a proposal that the presentation of classical and high class drama should receive municipal support.

The general purposes committee, being of opinion that the value of the acted drama as an adjunct to the council's educational system was a question upon which it ought to have the views of the education committee before considering the matter in its wider and more general aspect, asked that committee for observations on the educational considerations involved in the two proposals submitted by the league. The committee had an opportunity of considering the views of a number of head teachers and others interested in the movement for the organisation and extension of children's Shakespearean performances in London, and came to the conclusion that the time has now arrived when the council should take same steps with a view to consolidating the work which has been set on foot mainly on the initiative of certain head teachers,

*

Municipal League of Indiana to Reorganize.—While the limitations of our space ordinarily preclude comment on meetings of state municipal leagues, there is special interest in the action taken at the recent convention of the municipal league of Indiana to reorganize along more effective and efficient lines in view of the many changes which war work and war problems have effected in cities. A committee headed by Robert E. Tracy, director of the bureau of government research for the Indianapolis chamber of commerce, was appointed to prepare a new constitution and a plan of action. A notable address on the model city charter was delivered at the convention by Mr. Tracy.

*

State Association of County Comptrollers Authorized for Pennsylvania.—A recent act of the Pennsylvania legislature authorizes the county comptrollers to organize a state association and hold meetings for the purpose of discussing questions relating to their duties. The new association is planned along the lines of the state association of county commissioners, with which it may meet jointly. County comptrollers, deputies, and comptrollers' solicitors are to be allowed traveling expenses for attendance upon the annual meeting.

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VIEWS AND REVIEWS

I

THE attempt to organize Russian politics by trades and classes has developed among our radicals a lot of suggestive discussion of governmental forms—discussion which, for once, does not find forerunners in the annals of our National Municipal League. We talked about the recall years before the nation heard of it, but we have never talked of soviets or guild socialism and like everyone else are caught unprepared for onslaughts upon the very axioms of democracy. Admitting as we do that our democracy is far from perfect, we cannot defend it in its present state as passionately as do the tories. And when we trot out our orderly little list of reforms designed to make our democracy so responsive, obedient and efficient that the lawful traditional route will be the shortest and easiest way to anybody's utopia, we are curtly dismissed by the radicals with the condescending explanation that these are mere bourgeois reforms.

They are not bourgeois reforms; their advantages accrue uniformly to all kinds of movements. But it is true that the constituency of almost all civic reform movements is made up of well-to-do business and professional people.

It is a stigma that has been flung at us before. The politician, securely grounded in his purposely shabby free headquarters and his wide cosmopolitan acquaintance, often voices his forgivable sense of superiority in democracy over the "high-brows" of the city club, he appeals to class prejudice against the high-brow programs and sets up the conflict as one between "us common people" and "yonder kid-gloved millionaire-financed dilletantes." That such characterizations have nothing to do with the merits of the program at issue does not prevent them from often swinging elections or blocking progress. Civic associations often reach out an embarrassed ineffectual hand toward organized labor and keep their dues as low as possible. We know of dollar-membership civic organizations which hook arms conspicuously with labor or farmer leaders by reason of successful personal approach by their secretaries, but their finances betray the fact that their ostensible constituencies are not real. If we reduced our dues as we probably ought, our National Municipal League, though expanding in size, would alter little in its basic single-class character.

We are not deploring it altogether; it means only that most people, pressed in the struggle for a living, consider that they have no leisure, energy or money to devote to political reform. Participation in civic activities, particularly of the academic type, is a taxable luxury which most persons deny themselves. The occasional fanatic who neglects wife and children in a passion for public work, does not excite admiration.

And so civics remains bourgeois!

II

But if these reasons for the limited single-class interest in civics seem reasonable, are they conclusive? Must it always be so?

Contradicting all experience, here comes the Farmers' Non-partisan League with its $16 membership fee successfully and repeatedly collected from "low-brows." Sense of grievance or class spirit will not adequately explain that, nor will political salesmanship! How many towns have discovered in a Red Cross drive a tremendous new array of "joiners" and "givers." A Chicago settlement is reporting that it finds unexpectedly important support among neighborhood shopkeepers and tenement dwellers. The associations and charities that always had begged for small change and trivial attention were astounded during the war at the giving-power and working-power of the whole public as distinguished from the familiar shining marks. Mr. Buttenheim shows sleepy chambers of commerce that they can make their dues ten times as big and multiply their membership too.

III

To convert civics from the plaything of the business and professional classes to a mass movement of universal interest is largely a question of preaching our proposals of reform in terms of a high crusade for liberty rather than in the terms that appeal most to these classes. The initiative, referendum and recall spread with amazing rapidity without much bourgeois support because the intent of those devices of government was obviously liberty—not "lower taxes" or "business-like government" or "efficiency," the type of catch-phrase that the merchant and the lawyer are quickest to appreciate. Proportional representation benefits in the same way to a lesser extent and has long enjoyed socialist and labor recognition. The other reforms must emphasize the same line of thought, although to bourgeois minds such talk seems less practical and convincing. The propaganda for the city manager plan, for instance, has been persistently couched in terms of democracy, yet the typical chamber of commerce director will promptly discard that material to praise its "business-like" advantages and wonder vaguely why labor does not forthwith enthuse. On behalf of the non-partisan municipal ballot, it is pleasantly urged that national issues have nothing to do with local ones, thereby missing the chance to stir common blood with the revelation that a partisan ballot gives the machine a 30 per cent head start. A forum audience will be cool to the short ballot idea when described, as it so often is by unschooled defenders, as a scheme of giving the governor power to choose his own cabinet, but the applause comes when the long ballot is pictured as an ambush whence the people get potted!

Unquestionably modern civics can be popularized but it will require shooting over the heads of many who are the surest and promptest friends of civic reform and giving to the propaganda what will seem to them an almost fearsomely shirt-sleeve manner!

Richard S. Childs.

THE HOUSING SHORTAGE

BY JOHN J. MURPHY

Ex-Commissioner, Tenement House Department, New York City

I

WERE it not for the fact that housing shortage is testified to by so many unimpeachable authorities, one might be pardoned for doubting its existence. Save for the normal increase of population due to births, there are no more people in the United States than there were three or four years ago. Not alone has immigration stopped, but the tide has turned the other way. Hence housing shortage must be regarded as sporadic and not universal. For every new house required by a family in a newly congested area, there is probably a vacant old house somewhere. The war merely accelerated to a tremendous degree a tendency of population to concentrate already arousing much misgiving among the thoughtful. The "back to the land" movement has been overwhelmed by the "forward to the city" movement. Wages which seemed extravagant even to city dwellers exercised their normal effect upon country people to whom they must have looked phenomenal. To many of them it must have seemed that they would only have to work for a year or two for such wages in the city and then return to their country homes to live for the rest of their lives on accumulated capital. They little dreamed that the cost of living had risen higher than the price of labor.

The first effect of the influx was, of course, to cause spirited bidding for the accommodations available, with incidental increase of rents all around. The workman, proud of his increased earning ability as expressed in dollars, sought accommodations of a character more costly than he had been accustomed to inhabit. In New York, for example, the cheapest type of tenement apartment became a drug on the market. It had been formerly occupied and then vacated by immigrants coming to live in the city. Under the new dispensation nobody would take it at any price, with the result that tenements which would accommodate one hundred thousand people lie idle. These accommodations, while not so bad as to come under the ban of the law, are nevertheless generally of low grade.

The city confronted with this problem had no machinery to meet it, because the problem had never arisen hitherto and governments are only equipped to deal with things that have happened. The only relation of the American city to housing is one of restriction; to limit the area of lot which may be occupied, to require light and ventilation, and to insist on a sufficiently stable form of construction to ensure that buildings will not be dangerous to their occupants or passers-by. The cities had left the question of providing houses entirely to the operation of the law of supply and demand. Private agencies were in a rather helpless condition when the demand came. The needs of the war had absorbed a large percentage of the floating capital. Labor was dear and scarce; building materials commandeered by the government in many places, and bringing prices unheard of a couple of years before;

clearly, only buildings holding out prospects of extravagant returns would be projected or constructed. The cost of building had advanced from 35 to 75 per cent, according to the type and size of buildings, the percentage of increase being greater for small than for large buildings. The only factor which depreciated in price was vacant land, because landowners, having to pay taxes and being unable to derive revenue from their land, were more inclined to sell.

Under the circumstances many political and public bodies were organized to take action, but most of their activities were mere benevolent gestures calculated to impress the rent-paying public with the fact that these bodies were sympathetic. Indeed their activities in some respects were harmful rather than helpful. They tended to impress the landlords with the extent of their power by making the shortage seem more acute than it actually was and by raising the cry of "profiteer," they discouraged persons who might have been induced to go into building investment from doing so, because in other avenues of investment capital was being employed at larger returns without bringing reproach upon its owner. The one thing which the cities might have done which would actually have relieved the situation was not done by any of them so far as the results show.

II

In the early part of this paper it was pointed out that the chief relation of government to housing is one of restriction. To the extent that restriction requires safe and sanitary construction, it is a public necessity, but there is a form of restriction which is always more or less an evil, but particularly so at a time like the present. This restriction is the taxation levied upon buildings. There is no doubt that this form of taxation even in normal times tends to prolong the life of old buildings and prevent the erection of new ones; but at a time like the present it ought to be obvious to the least thoughtful that such restriction should be removed until building has caught up with normal demand. The suggestion has come from most responsible quarters that new buildings erected within the next two years should be exempt from taxation for seven to ten years. Such a policy would greatly stimulate building.

It may be presumed that if it had no opponents it would have been adopted. Its opponents are chiefly those who believe that such a policy would give rise to serious discontent on the part of owners of existing buildings who would protest against being called upon to pay taxes on their own buildings if there was a tax-free building alongside. The force of this objection may be conceded, but it must be remembered that the abnormal rise in prices has given a great bonus to owners of existing buildings. Another objection comes from those who view with suspicion almost any proposal which seems to point in the direction of what is known as the single tax. To those it may be answered that if a proposal has value it should not be condemned because it is merely a minor plank of an obnoxious platform. We would still be miles away from the single tax which proposes to eliminate all taxes excepting a tax upon land values.

Pittsburgh and Scranton are examples of cities which have gone some distance in the direction of exempting improvements and the report is that they are satisfied with their experiment. If the policy should not work out as anticipated, repeal of the measure would be easy. Of course, there is no answer to those objectors, if what they fear is that the proposal may be so beneficial, that the people would want to extend it and make it permanent.

After more than a year's study I have found no other way which offers any practical solution of housing shortage. The public must choose between this solution and the struggle for years with the problem of constantly rising rents and the acceptance of deteriorated conditions, for landlords will not only raise rents but will refuse to keep their buildings in the comparatively good condition that has obtained for some years back, when instead of tenants seeking accommodations at any price, landlords were seeking tenants. Competition among landlords for tenants is the most effective regulator of upkeep and rents.

PUTTING THE PUBLIC INTO PUBLIC HEALTH

BY CARL E. McCOMBS, M.D.

Chief of the Division of Public Health, New York Bureau of Municipal Research

I

Ask any group of public health workers how to secure efficient public health administration in our cities and almost invariably two bromidioms will be elicited in reply. These are: "Educate the public to demand efficient health administration" and "Take the health departments out of politics." At first glance both of these answers seem to be sound and appropriate, but if we analyze them more closely it will be apparent that they are absolutely incompatible. Let us suppose that the public has received all the education in public health matters possible, and that it demands efficient public health service. How is it going to get it if we "take the health departments out of politics?" What means has the public for enforcing its demands? "Public opinion," you say; but what does public opinion amount to unless that public opinion is capable of being expressed at the polls and in the ballot? If education of the public in health matters is essential—and this goes without saying—then, instead of taking health departments out of politics, we must put them *into* politics and give our educated public an opportunity to secure through the ballot the kind of health service it wants. If the public wants efficient health administration—it can have it; if it doesn't want it, no power on earth can force it to accept it.

From the very beginning of health administration in this country, the efforts of those who strove to make health administration adequate and efficient were directed toward developing a type of health organization which would be as far removed from political influence as possible. In order to take health legislation out of the hands of politically selected municipal councils or boards of aldermen, boards of health have been created with broad powers to devise health regulations. It is argued in defense of this idea that the municipal council, board of aldermen or other municipal legislative body is a political body; that it is not adequately informed in public health matters; that its members are more influenced by partisan politics and so it is necessary to have a board of health which can act independently of the municipal law-making body in devising and putting into effect the necessary health legislation.

II

The arguments thus made in behalf of this method of health administration are all defensible but the conclusion that an independent law-making body is essential is not sound. How can we ever have municipal legislative bodies, non-partisan as regards public health, informed as to public health, and prepared to pass the necessary health laws if we take away from such bodies the opportunity of becoming informed, intelligent non-partisan supporters of the public health movement? Furthermore, since the municipal council is a body elected by the people, what body is better adapted to carry out the will of the people as regards health laws? If we believe in our democracy, if we believe that our government is a government "of the people, by the people, and for the people" then the people ought to be made co-responsible with the officers of government whom they elect, for the efficiency of the government.

We hear much about how to get efficient democracy—and all sorts of schemes have been devised to make it efficient—by instituting elaborate systems of checks and balances; by creating all sorts of boards, commissions, and committees to divide responsibility on the theory that two heads or several heads are better than one; by sidetracking responsibility of government officials in one way or another. All of these devices have failed and will always fail for the element of true democracy is not in them. Talk of educating the public to demand efficient government is balderdash if it does not mean education in the intelligent use of the ballot and then an opportunity for the public to use it. Talk of efficient health administration is breath wasted unless health administration is made responsive and responsible to the will of the people. The way to improve municipal health administration is not to "take municipal health departments out of politics"—but to throw them frankly into politics and let the public determine whether it wants a healthy city or an unhealthy one!

It is most important in developing this idea of responsive and responsible health administration that the organization of a municipal health department shall be so made that responsibility to the public will be directly placed upon the elective officers of the city. There should be no part time, near paid boards of health, robbing the elective municipal legislative body of its legitimate functions of health legislation. On the contrary, full responsibility for health legislation should be fixed, where it rightfully belongs, on such elective legislative body. There should be a commissioner of health or health officer appointed by the mayor or head of the city government and responsible directly to him—not to any other board, commission or committee. Then and only then can the public exercise suffrage competently. Then if health administration is a failure, those responsible for its failure are readily reached by the voters.

But, you say, the public is not yet sufficiently informed about public health matters to act intelligently in removing from office those who have failed adequately to safeguard the public health. Even granting that this be true—and there is no reason to believe that it is true—there is only one way for the public to learn to use the tools in its hands, and that is by using them. The public will go wrong—it does go wrong time and time again—but it can learn only through its mistakes and it does learn, depend upon it.

III

So instead of trying to take municipal health departments out of politics, let us put them into politics! Let us put the public into public health! If we believe in representative government, why not make our city governments represent something besides themselves? Heads of city governments have been elected because they promised reduction of the tax rate but without any declaration as to how they would reduce it;—they have been elected because of their promises to give the city new streets, new systems of transportation, new public buildings and what not. And when they have failed to live up to those promises they have not often been re-elected. But so far as the writer knows, no candidate for public office has ever been asked what he is prepared to do for the health of the community. The time is coming,—and it is not far off,—when the candidate for public office will be obliged to declare himself on something besides the tax rate and other usual "issues" of the political campaign. He will be obliged to say what he will do for the health of industrial workers; what he will do to prevent unhealthful housing conditions; what his attitude is with regard to hospitals and dispensaries; how he will contribute to the prevention of infant mortality; what he will do to guarantee a clean pure milk supply. These are campaign issues of vital importance and the public knows it. As a matter of fact the public does know more about health than the politicians. The widespread propaganda for health has not been wasted effort.

Given a mayor or head of a city government and a board of aldermen elected on a platform which embodies the demands of the public for adequate health protection—and given a trained health executive appointed by the mayor as the technical head of the health department, health work can be properly developed and financed. But unless these things are done such progress as is made will be halting. There will be no certainty that the efficient work of one administration will be continued in the next administration. One need not go beyond New York City to find proof for this statement.

Let us suppose that all of the organized groups of citizens in a given community, including the medical societies, the nursing associations, chambers of commerce, labor unions, women's clubs, fraternal organizations and other civic and social agencies, were to come together and agree upon a health program based on certain broad general principles—all petty differences of opinion being laid aside. Then suppose this program were given wide publicity so that everyone in the community would know about it. Suppose, too, that candidates for election to municipal office, mayor, aldermen, etc. were required to approve or reject this program as one of the campaign issues, not by vague generalizations or by inference but definitely and by direct statement which may be made a matter of record. If the publicity campaign were properly conducted, it is pretty certain that the candidate who failed to make this health program a plank in his platform would stand little chance of election. The public wants public health—there is no mistake about that—and if it is given an opportunity to find out what the health issues are and an opportunity to use its vote intelligently, it will demand public health in no uncertain tones. This is the way to put the public into public health.

CITY PLANNING IN FLESH AND BLOOD

BY WHITING WILLIAMS

Formerly Secretary Cleveland Federation for Charity and Philanthropy

Among our large cities Cleveland easily ranks first in the enterprise and forethought with which it has attacked its humanitarian problems and taken care of its people. This article sketches its history along these lines. :: :: :: :: :: :: :: :: ::

"The city of the future must not be allowed to *happen*."

The words are those of ex-mayor, now Secretary Baker. Their context gives them especial reference to the civic activities which directly affect the welfare of the city's human beings.[1] It is hardly too much to say that this thought has been more definitely and continuously at the back of the civic mind of Cleveland than of any other of our larger cities. It may be suggestive, accordingly, to take a look at Cleveland's development in the city-wide organization and co-ordination of its resources for the solution of its human problems and the general betterment of its people.

The harnessing of one man-power with another and another in the manner called organization is for the most part the child of necessity; it is born in the travail and stress of great crises when the threat of some common disaster must be met with all the strength the group can by every means furnish and make effective. Thus after the formation of the civil government, a little public library and a modest school, one of the first great threats affecting alike the lives of a group of Cleveland's citizens was presented by the trying winter of 1827 when the workers completing the Lake Erie—Ohio River Canal found themselves in serious financial straits. So, also, in the early thirties the crisis of cholera epidemic brought into being a "public health committee." This body proceeded to make what must have been a very sad beginning of the now common practise of spending city money for welfare purposes; it bought at public expense a *public hearse!* Its active use resulted in the establishment of several orphanages. A little later the nation-wide financial crisis of '37 required the town's united powers for the relief of the prevalent destitution. Still later the Civil War called into life a great number of hospitals and other organizations.

So through the decades up to the seventies and eighties the story of organization is the story of emergency recognized and at least to some extent met. By that time the whistles of the town so advantageously located "where coal and iron meet" began to be heard, like the shots at Lexington, around the world. Small chance indeed for the *planning* of a city!

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[1] "The Challenge of the City," N. D. Baker, The Social Year Book, 1913; The Cleveland Federation for Charity and Philanthropy.

With the pouring in of multitudes anxious only to get as close as possible to the factory gates, the emergency became chronic!

Under such circumstances it was difficult enough to keep within even a few laps of the most obvious and mechanical responsibilities of governmental or civic administration. In many connections the report of years of effort on the part of a few leaders had to be summed up in the words once used—not altogether sadly—by a chamber of commerce committee secretary, "An atmosphere has been created." For that reason it is almost useless to try to ascribe parenthood to the different activities set in motion for the handling of the various situations which had to have attention.

THREE FORCES FOR PROGRESS

It is certain that, among many, three of the chief sources of impulse for the more broadly organized effort on behalf of the city's flesh and blood were Mayors Tom Johnson and his successor Newton Baker, and the chamber of commerce. The last, naturally, has had the longest connections with the famous "group plan" for the buildings to form Cleveland's civic center. The success of this dream has undoubtedly helped immensely to the pursuit of less tangible civic objectives. Although far from always in agreement with each other on public policies, the three have all been remarkable for their interest in the human concerns of a modern city.

"When Tom came in, all the parks—and they were far from as numerous then as they are now—were covered with 'Keep off the grass' signs. They didn't last long with him, I can tell you!" is the way any Clevelander is likely to describe one of the earliest of the doings of the "People's mayor."

Great numbers of public tennis courts were put in the parks as well as attractive baseball diamonds. City hall approval was given to the organization of the Cleveland amateur baseball association. This became a very flourishing organization, often staging free games in Brookside Park for crowds of 80,000 and over.

Mayor Johnson's connection with the establishment of three-cent streetcar fare is too well known to require mention here, as is also, doubtless, his realization of a colleague's dream in what is known as "Cooley's farm"—where, scattered about at suitable distances on the top of a beautiful ridge are to be found the city workhouse, the infirmary, and the tuberculosis sanatarium, all maintained with the help of the recreating, outdoor labor of the prisoners.

The rewriting and humanizing of building and sanitary codes were other advances accomplished by the three forces mentioned though begun in the time of the man whose monument to-day relates (not without opposition and denial) that

> He found us groping leaderless and blind
> He left a city with a civic mind.
>
> He found us striving each his selfish part
> He left a city with a civic heart.

In the two terms of Mayor Baker municipal ownership and management extended farther into the field of electric light and power, supervised playgrounds, bath houses at the beaches, supervised private dance halls, three-cent lunches, and chaperoned public three-cent dances in the parks. All these and more, together with employment and immigration bureaus, were in 1913 made part of the new charter which represented in its welfare department the farthest advance at that time in the acknowledgment of the city's responsibility for the active promotion of the happiness and good of its men, women, and children.[1]

THE CO-ORDINATION OF BENEVOLENCE

It goes without saying that the extremely rapid influx of foreign populations—in 1910 the proportion of foreign-born and born of foreign parents was 75 per cent[2]—called into being a great number of more or less organized private benevolences. The chamber of commerce was the first in the country to see the need of working with these not only for the elimination of the needless or unfit but also for the co-ordination in some measure, of the others. Its example has been followed by business men's organizations in nearly three score other cities since. Out of the attention to this field soon came the country's first serious study of the nature and boundaries of the financial support of these enterprises—with the discovery that contributors of $5 or more constituted less than one per cent of the population! From this followed in 1913 the benevolent associations committee's establishment of the Cleveland federation for charity and philanthropy.

It is not too much to say that this organization has done more than any other to secure from a large city's population something like the attention deserved for its complex problems of human well-being. The interpretation of these problems and of the work being pressed for their more or less partial solution was made the basis of the federation's program for the city-wide development of the desired financial support and constructive progress.[3]

As a means of better team-work between the allied philanthropies and the city government, as well as other civic bodies not primarily concerned with benevolence, a welfare council was organized for the exchange of welfare information and plans on a completely city-wide basis. Early in 1917 its function was taken over by the federation which has widened its responsibilities under the new name of the welfare federation of Cleveland. Its scope is indicated in the representation of the sixty-six benevolences for which it assumes the financial burden and twenty others, such as the chamber of commerce, municipal league, the various federations of

[1] Other cities organizing welfare departments since then are: Denver, Houston, Dallas, St. Louis, St. Joseph, Omaha, Duluth, Chicago, Dayton, and Columbus.

[2] The Americanization sub-committee of the mayor's war relief committee makes the claim that Cleveland was in 1910 the most foreign large city in the country in proportion to its size, only 21 per cent of males of voting age being native born, and only 44 per cent of those foreign born being naturalized. A story goes that in one section of the city the judges of election, all of whom had been naturalized, once refused a born American the right to vote, etc., because he could not produce naturalization papers!

[3] The aim of the entire publicity program was set forth in the "Social Year Book" of 1913 which Professor F. G. Peabody said "made an epoch in American Charity," as follows:

1. To show the city's problems in their broadest and deepest reaches and at the same time to reduce them to their simplest factors;

2. To describe the city's activities and agencies which have been organized at various times and are now united in an attempt to solve these problems;

3. To secure the interest of every person in Cleveland in these problems and in the activities and agencies aimed at their solution as *his* or *her* problems and *his* or *her* activities and agencies.

churches,[1] women's clubs, labor, and Jewish charities, the Cleveland foundation, the city departments of safety and of welfare, the board of education, the courts, etc., etc. Its broad interests are also indicated in its committees on recreation, delinquency, standards of living, social legislation, education, health, and public administration.

The federation, under both the old and the new names, has accomplished much in the way of co-ordinating the work of the various agencies acting mainly through subsidiary functioning groups. Illustrations of these groups are the hospital council, the conference on illegitimacy, the association for the crippled and disabled, the council of girl workers, the children's conference, the negro welfare association, and the committee on delinquency, recreation, institutional efficiency, and budget planning. These groups are representatives of the various forces interested in the problems indicated and have studied their problems, mapped out programs, established standards, eliminated waste and friction, increased co-operation, and efficiency, initiated co-operative purchasing,—in short developed the "Team work for a better Cleveland" which is the federation's fundamental principle.

The welfare federation is thus the final outcome of the chamber's original belief that public welfare work, even though maintained by private effort deserves and requires some kind of public oversight. As indicated by its components and committees, the federation embodies the democratic ideal of completely city-wide co-ordination for securing the uttermost effectiveness for all the resources organized to meet the huge, complicated, and serious human needs of a city. The thought has been to pass the work over to city direction and support as fast as the city treasury and public methods permit, the private energies to continue free for social exploration and pioneering.

The war chest is the result of applying the federation plan of financing to war needs. Over 300 American cities adopted this form of securing sufficient funds to cover the needs of war charities by one big drive, reaching the entire community and securing from each person according to his ability. The Cleveland victory chest drive of May, 1918 secured over $10,000,000 from 300,000 contributors, a gift from every third inhabitant and averaging $33⅓ each.

FUNDAMENTAL STUDIES

The very important duty of learning the fundamental nature of some of the larger civic problems has been assigned by the federation to one of the constituents, the Cleveland foundation. Organized by a trust company but with its control in the hands of the three of its five trustees who are appointed by public officials, its survey committee has endeavored to secure an intelligent public by making intensive studies of such vital matters as the schools and, later, recreation. Though only established in 1913, a total of something over fifty millions has already been arranged to come into the foundation's possession for the common good after various heirs have enjoyed the income for the different periods specified.

Such a fund and such a method of scientifically studying the basic needs of the community will immensely lessen the hitherto haphazard definition and assignment of testamentary benevolent funds. By calling attention to some of the larger root problems, also, it will greatly help to lessen in the future the chief obstacle in the way of the alliance of the welfare activities of every city—the highly personal and fortuitous initiation of benevolent activities.

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[1] The federation of (200) churches, among other good things, enforces a rule forbidding the location of new church enterprises within a third of a mile of an old one. Its social betterment committee deserves much credit for the elimination of the segregated vice district.

In a city so engulfed by new populations from other lands almost every conceivable kind of agency has had abundant opportunity to dig itself into the sympathy and the more or less close personal relationships of enough of the public to insure a more or less precarious existence. The particular welfare problem discovered by it and, for a number of years given attention by it and it only, comes quite naturally to seem to be its own peculiar possession and property. When, accordingly, a slightly different alignment of forces or distribution of function is shown to be desirable from the point of view of the welfare and progress of the community as a whole, an almost unbelievable distaste for team-work and "city planning" is evinced.

At the very bottom of the development of the idea or practise of city planning in flesh and blood, therefore, is the recognition of the fact that public welfare is a public problem in which no institution can claim permanent rights, and that neither financial nor moral support can be asked broadly without a broad and comprehensive presentation of the facts involved;—that furthermore neither cure nor prevention can be successfully accomplished by anything less than a socially informed and interested public. It is the unwillingness of a large part of the country's social workers to agree to all this that underlies the comparative scarcity of such city-wide co-ordination of organized effort as Cleveland exhibits. Doubtless it will some day soon be common—perhaps taught in the colleges as "Human engineering."[1]

"CLEVELAND CO-OPERATES"

Because city-wide integration is so difficult in this field where individualistic and haphazard effort has retained so powerful a hold, the demonstration of its feasibility and effectiveness naturally proves notably influential in other field of the city's life. Probably in no other city is there such a spirit of co-operation between the different organizations of every kind as in the first federated community. When the passage of the bond issue for the city auditorium seemed highly important, a "committee of one hundred organizations" was called into existence. Its work was so successful that it was later set up for the passage of street-paving bonds—with equally satisfactory results. For four winters the secretaries of a number of important organizations have been meeting together very informally for the discussion of the technique of "secretarying" and other matters touching the particular groups they serve and the good of the city's people in general. "Cleveland co-operates" is the slogan chosen for the city by this group.

Later exhibition of the fruit of such practise in co-operation is the city's record in regularly exceeding by wide margins its Liberty bond allotments and its Red Cross quotas.

These various purposive co-ordinations for betterment here noted are only a few of those which might be mentioned. Numerous and significant though they are, they lack of course the tangibleness which marks the progress of the brick and stone kind of city planning. They do not exhibit the precision and the definiteness with which one after the other the huge municipal buildings take their places on the Mall according to the program arranged decades ago. But at least it can be claimed that Cleveland has "created an atmosphere" for a community program of people-betterment. Indeed it may be said that it has a program, has organized for that program's fulfillment, and is now operating towards that fulfillment. Doubtless the details of organization will see many changes as things impossible a few years ago become possible, through better understanding of both problem and technique. Just now the indications are good that the near future will see a unified, or at least co-operative, program in both brick and stone and flesh and blood on the part of such groups as the welfare federation, the chamber's committee on housing and the city planning commission. Perhaps to this group will be added such other bodies as the committee on industrial welfare, the employment managers, the newspapers, and others.

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[1] The charity or welfare federation movement is now established in sixteen or more cities such as Detroit, Louisville, Cincinnati, Baltimore, Dayton, etc.

THE OPPORTUNITY TO CATCH UP

Considering the hugeness and the suddenness of the increase which brought the "chronic emergency" to our cities, it is not strange that they have been "allowed to happen." This inflow is now temporarily checked comparatively speaking—in spite of the recent influx of southern negroes. The "emergency" is still far from met. But there is surely a greater unity of spirit amongst us as the result of the common danger and of the war's inescapable demonstration of the inevitableness of marching together in all the fields of national life for the support of a victorious firing-line. With all these favoring circumstances there should be at least a few leaders in every city who will see in the present a time extraordinarily favorable to the *prevention* of future emergencies by far-sighted, purposive alignment of all the forces promoting the physical and moral well-being of the whole body of citizens. Until these human emergencies are not only remedied but prevented the "social sciences" will hardly deserve their name.

One of the arch self-starters of the French Revolution, Rousseau, said "The city becomes the charnel house of the human species—it becomes necessary to renew it and it is always the country which furnishes the new life." It is certainly too late now for us to follow his further advice and send our children to the country for the strength and inspiration of the rural surroundings. Besides, Richard Watson Gilder has shown us a better resource—one whose co-ordinated utilization will not fail to be sufficient to our cities' needs:—

> On love of city we here take our stand.
> Love of city is no narrow love;
> Who loves it not, he cannot love his land,
> With love that shall protect, exalt, endure.
> Here are our homes, our hearts,
> Great God above!
> The city shall be noble, shall be pure!

A NEW TYPE OF DIRECT PRIMARY

BY RALPH S. BOOTS, PH.D.
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The elaborate and voluminous thesis which Dr. Boots wrote on the actual operation of direct primaries in New Jersey in 1916 indicates him as the closest student of the subject at the present time and the one who is best prepared to work out just such a constructive plan of salvation for the primary as he here proposes. :: :: :: :: ::

ONLY a few states have obdurately resisted the claims of the direct primary, which, as a generally accepted remedy for certain political ills, has swept over the United States within the last two decades. Indeed, the reform was successful in a majority of the states during the first dozen years of the century. It seems that no state has adopted the direct primary since 1915 and that only three have been converted to it since 1913.

And all is not well, apparently, with the direct primary. Recently have arisen reports disquieting to those whose faith in this newer instrument of democracy was wont to be unshaken. For the last three sessions of the New York legislature there has been talk of a partial return to the convention system. The Republican state executive committee in March of this year vetoed favorable action on a bill providing for the restoration of the party convention for nominating state and certain judicial candidates as "politically unwise at this time."

WEAKNESSES DEVELOPING

From California (direct primary adopted 1909) comes news of a proposal to combine the principle of the direct primary with that of a party convention.[1] "Now the progressive west is virtually ready to discard the primary or, at least, to amend it so that the party convention shall in effect be restored. Nebraska has just returned to the party convention; Minnesota is wrestling with the question."[2] Idaho (direct primary adopted 1909) has at the recent session of the legislature restored the convention for state offices and United States senators and representatives.

From Wisconsin, the first state to use the mandatory state-wide direct primary (1903), comes the message of Governor Phillip: "For my own part I regard the party convention the proper agency to fix its party principles and nominate its candidates, and the only valid objection that was urged against that system was the political caucus which nominated the delegates. In order to obviate that feature of the convention system which brought it into disrepute, I suggest that you so frame your statute that the delegates will be elected by the people at the regular spring election in the same manner as they cast their ballot for their township and municipal officers. The jurisdiction of the convention should, however, be limited to state officers, United States senators and members of Congress." One is almost inclined to inquire how, especially in the progressive state of Wisconsin, the direct primary could bring about the nomination of this advocate of reaction unless during his campaign he concealed his designs to spurn the ladder by which he rose.

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[1] *Equity*, January, 1919.

[2] David Lawrence in *New York Evening Post*, April 24, 1919.

Many voters seem dissatisfied with the workings of the direct primary, yet few would go back to the original convention system. Perhaps, when the short ballot and the merit system will have had their fullest application, the direct primary will give place to preferential voting, proportional representation and nomination by petition only. In the meantime there will probably occur many modifications of the present system in the search for improvement.

No one will deny that the direct primary at the present time has its imperfections. One of these defects has been suggested by three well-known writers on government. Professor Merriam[1] admits that it is a question of importance whether lists of candidates may be made by party leaders before the primaries, but thinks the party leaders would be made responsible for the qualities of the candidates presented. Professor Munro[2] takes a different view of the accountability of the leaders and holds that the direct primary, the result of which is too often just what it would be under any other system of nomination, permits the leaders, who have really determined the outcome, to avoid all responsibility for it. Professor Ford[3] asserts that the direct primary makes politics "still more confused, irresponsible, and costly."

ADMITTED DEFECTS

The following defects, then, seem to exist in the direct primary as it is employed to-day. There is, first, a failure to recognize the certainty of political leadership under any system. It is assumed that all the voters will be interested in looking about over the field to discover the persons most fitted to represent the party as candidates for the various offices. If this were true there would be little need of printing names on the primary ballot, of "designating" candidates for nomination, as it is called in New York. Each voter would have a chosen candidate in mind and would be quite willing to write his name on the ballot. But the great majority of the voters concern themselves not at all with the matter until some one offers for their consideration a candidate, circulates a petition for him, "designates" him. This fact will be well recognized by any one who has noted the extremely small number of voters who take the trouble, when no candidate's name is printed on the ballot, to write in the name of some person preferred by them for the nomination. The voters in such a case seem to have no preference.

But if the office is of any importance and the chance of election is fair, some one will have an interest and a preference. Some individual or, more probably, some group will present his or their preference by petition. Presumably the necessity of obtaining a certain number of signatures makes the signers responsible for the candidate. They recommend him. But, without argument, every one knows that the petition requirement amounts to nothing. Even if petitions were signed only deliberately and conscientiously, the names of the signers are not published and the voters do not know them.

That fact, then, constitutes the second defect of the primary—no responsibility anywhere for the designation of primary candidates by petition. Every Tom, Dick or Harry comes before the party voters on an equal footing as far as the primary law is concerned. In fact this condition is pointed out as one of the merits of the system—it is a "free for all." If this were indeed true there might be less objection than there now is. The following quotations present actual conditions in the state of New York: "'Conferences,' constituted in the same manner as the former conventions, have been held by the various parties every year since the direct primary act was passed, and in one instance a Progressive party conference practically decided on a ticket." "In local contests the nominees decided on by county and other local committees have had behind them all the organized political strength that the leaders could muster." "Instance after instance could be cited showing that the political machines are again running smoothly and that the plagues visited on the 'independent' candidate are many."[1]

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[1] "Primary Elections," 1908.

[2] "The Government of American Cities," 1916 (revised edition).

[3] *North American Review*, cxc, pp. 2, 4; 1909.

SLATES STILL GO THROUGH

In Essex county, New Jersey, the county organization of each major party puts up each year or, at any rate, recognizes a practically complete slate of candidates for nomination, not only for all the county offices but also for United States representatives and, in Newark (before commission government was adopted), for the chief city offices and for county committeemen. In complying with the corrupt practices act one blanket statement of campaign receipts and expenditures is filed for all the organization candidates in each party by one man whom they have agreed to appoint as their treasurer according to the law. For several years the treasurer of each party has been unchanged. Naturally every man who is a candidate for nomination on one of these slates is a worker for every other candidate on the list. When this fact is considered in connection with the number of candidates who make up each group —often well over 200—and the amount of money they contribute, it is not at all a matter of surprise that the slate goes through as a rule almost without a scratch. In the years 1912 to 1916, inclusive, only three cases of failure to carry through the entire slate for county officers and United States representatives occurred in both parties. The two parties nominated together during this period 196 candidates for these positions. The independent success seems small indeed. The Democratic organization admits only three defeats since 1908 when the direct primary first applied to the county area. Since the candidates picked for nomination by the party organizations are so uniformly successful, how and by whom these candidates are chosen becomes a question of primary inportance.

It seems that for several years each party organization has pursued a defined course in determining what men to propose to the voters of the party for nomination. The executive committee of the county committee first agrees upon a slate which is then recommended to the county committee where a motion is regularly made to accept it. This ratification is little else than a formality, although theoretically the larger body possesses the power to reject undesirables and demand substitutions. One may imagine the influence which the more than 300 members in each of the county committees exert in backing, and creating sentiment for, the candidates for nomination proposed through them. Many voters accept entirely their recommendations in lieu of personal knowledge. Thus it is obvious that the organization candidates are almost always successful at the primaries and equally obvious that the average party voter has little or no direct influence in determining who the organization candidates shall be. It is not intended to assert here that the party voters are always or even generally opposed to the proposals of the organizations. When party organizations can satisfy the desires of party members 193 times out of 196 chances they are to be commended. (To deny that the organization candidates were satisfactory to the party voters is to deny all the efficacy of the direct primary.) Nevertheless, it is submitted that the selective agency is by no means properly representative of the party voters nor even of that portion of them, around 50 per cent, who attend the primary. True, the party committeemen are elected at the primary every year. But in 1916, in Essex county, for the 594 places on the county committee in both parties there were only 115 cases of contest, and approximately 80 per cent of the primary voters expressed a choice for committeeman. In Middlesex county there were 21 contests in 152 places, and in Salem county there was no contest in 44 places. These facts indicate that the committeemen are regularly organization men. It is not very strange that the party voters pay so slight attention to the election of these party officials for nominally they have little authority in the exercise of which the voters are interested.[1]

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[1] The Direct Primary in New York, H. Feldman in *American Political Science Review*, xi, no. 3 (July, 1917).

THE HUGHES AND SAXE IDEAS

The two defects of the direct primary just considered would be largely remedied by the Hughes plan of legal, responsible designation of candidates by the party committees, with opportunity for rival designations by petition. It seems that Governor Hughes intended a primary to be held even though no designations in opposition to those of the party committees should be made. As an amendment of this plan, former state Senator Saxe (New York) proposed that whenever no contesting designation was filed the committee's designation should become the party nominee without a primary election. That the necessity for a primary to decide contests for nomination would be obviated in this manner in a great many instances is shown by the following facts. In nominating 138 candidates for local municipal offices in both parties in Salem county, New Jersey, in 1916, there were four cases of contest. In the years 1912 and 1915 neither party had a county-wide contest in this county, while in the latter year there were only nine contests in nominating 153 candidates for local municipal offices. (The decision of these nine contests at the primary polls cost the county approximately $2,500.) In Middlesex county in 1916 there were eight contests in both parties in nominating 320 local municipal candidates; in Essex county, 33 contests in 408 candidatures. In six counties of New Jersey investigated the number of contests constituted 15½ per cent of the number of local municipal officers actually nominated, that is, officers for less than the county area. The per cent of contests among candidates for the county area was much larger in New Jersey. In the 60 assembly districts in New York City, 12 of the 120 nominations in 1916 were uncontested; only two candidates, in 46 state senate nominations examined, were opposed; in 16 counties outside New York City, comprising 25 assembly districts and 11 state senate districts, not a single candidate had opposition in the primaries for these offices. In the 20 nominations of candidates for state offices there were four contests. "As machines and political organizations invariably have candidates, we may take it as a correct deduction that all uncontested candidates in these counties were either chosen by or were pleasing to the organization."[1]

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[1] The facts for New Jersey are taken from the writer's dissertation, "The Direct Primary in New Jersey," 1917. In the Republican primary of 1917 eleven anti-organization men were successful in securing nominations for assembly in Essex county (twelve assemblymen to elect).

(The matter of cost may be mentioned here. The fall primary in 1916 cost the state of New York probably $645,000; the same year New Jersey's primary cost was slightly over $300,000.)

If, however, Mr. Saxe's amendment of the Hughes plan, as suggested above, were accepted, an election of some kind would still have to be held in every precinct each year for the purpose of renewing the members of the party committees that would be employed to designate candidates for nomination. There would remain two objectionable features of the direct primary: the necessity of a second election and the requirement of party enrollment with the accompanying publicity of the voter's party affiliation. The latter difficulty, it is true, may be obviated by the use of the "open" form of primary in which each voter is permitted to vote the primary ticket of any party without divulging his choice. This plan, of course, is open to the objection that members of one party may, and, especially if contests in their own party are few, will, participate in the nomination of the candidates of a rival party, and are likely to use this opportunity to partisan advantage. Governor Phillip's condemnation of the Wisconsin primary, noted above, was due partly to this condition. The plan has been abandoned recently by some states which had employed it.

The separate primary election results in the choice of party candidates by a fraction, large or small, of the voters adhering to the party and, as a rule, by the less independent voters, that is, the "regulars," workers and office-holders or seekers. This is generally conceded. "Unless there be important local issues represented by rival candidates, the primary is not likely to draw out votes in great numbers and when a large part of the available vote is not forthcoming, it is usually found that the stay-at-homes include most of those whose participation in the nomination of candidates is much needed in the interest of good city government."[2]

SETTING-UP LEADERSHIP

But if ex-Governor Hughes' and ex-Senator Saxe's proposals be accepted as a starting point, there seems to be at hand a way of escape from this undesirable situation. Would it not be possible at the general election each year to choose the party committeemen who are to designate the party candidates in the first instance for the approval of the party voters? The selection, at the regular spring election, of the delegates to a nominating convention is proposed above by Governor Phillip. If considered preferable to have a party body, separate from committees, selected for the specific purpose of proposing party candidates, could not such a body, known perhaps as party representatives, be thus chosen?

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[1] Feldman, op. cit.

[2] Munro, op. cit.

The names of candidates for this position of party representative could be printed on the regular ballot or on special ballots at the request of petitioners or on payment of a fee. The party membership of the voter, for the purpose of determining whether he is entitled to participate in the choice of a certain party's representative, could be based on any desired degree of regularity in the support of that party's candidates whose names appeared on the general election ballot. That is to say, a voter might be permitted to participate in the selection of the Republican party's representative only if he votes for every one of its candidates or for a majority of them. Another test could be applied: candidates for certain offices could be specified by law as partisan, and a voter, to claim membership in a party, could be required to vote for all candidates thus specified or for any given fraction of them. In any case, the board of election officers could determine by a glance at the ballot, whether, according to the law, the voter who cast it was a Republican or a Democrat and thus entitled to exercise a choice for one or the other party's representative. Of course, if a voter should indicate a preference for the party representative of a party for the candidates of which he had not voted, his vote for representative would be considered void. Thus far there is absolute secrecy as to the party membership of the voter and yet for the purpose of restricting the control of party nominations to the adherents of the respective parties the method is more accurate and efficient than those commonly used, by which the voter who wishes to participate in a party primary takes oath or affirms that he voted for a majority of, or supported generally, that party's candidates at the last election. Certainly he may rightly be considered to belong for the time being to the party the ticket of which he votes.

The party representatives selected in the manner just outlined, one for each election district or larger area, may be given one vote each in choosing the party's nominees, or a weight corresponding to the party vote in their respective districts. Conceivably, too, all the representatives that receive over a certain minimum number of votes might be permitted to cast this number in the choosing of party nominees. Such a plan would reflect most accurately the voters' wishes and afford recognition to all party factions of respectable size. The first plan, however, is perhaps most intelligible and simple.

"DESIGNATIONS"

How shall these party representatives designate the party nominees? At a fixed time preceding the general election they may be assembled in convention under the presidency of a responsible public official and allowed to make nominations after deliberation and discussion, the vote of each being recorded and published; or, if the danger of intrigue and undue influence at an assembly is feared, they may, each in his own precinct, be required to certify their choices before a notary public who will mail them to the proper public officer. The latter method would enable busy men of affairs to accept the position of party representative. One of the drawbacks of the convention system was the frequency with which only mediocre men or men of still smaller caliber could be used for delegates to conventions, especially conventions for small areas and for the nomination of comparatively unimportant candidates.

In either case the choice of candidates should be limited to those persons whose names are proposed for the consideration of the party representatives. These proposals could be made by petition. Few signers should be required so that the petition may be a real, deliberate and responsible recommendation of candidacy. Any voter of the state should be permitted to sign any petition; that is, residence in the electoral area by which the nomination is made should not be necessary. Ten or twenty names might suffice ordinarily. The fewer the names the more care the prospective candidate would exercise in securing popular backing in this form. Before the action of the party representatives the names of the petition signers should be given wide publicity through the press at public expense. Each candidate would then be known as the candidate of this man or that, this group or that, and could not well come forward by personal advertisement alone. Probably one party representative, or group of representatives, from each district should be used to suggest party candidates for all offices to be filled during the year following the selection of those representatives. This rule is desirable in order to make the position of party representative sufficiently prominent to induce intelligent men to seek or accept it and also to render the selection of party representative a proceeding of enough importance and interest to attract the attention of the voters. In addition, this rule is required in order to avoid adding unduly to the length of the already much too long general election ballot. The representatives, then, of all the districts in the state would have a voice in the designation of a party candidate for governor or for any other state office. The representatives of the party for all the election districts in an assembly district would designate the party's candidate for assemblyman, and so on for any other electoral area. Majority preferential voting could be used in the selection of the party's candidates to afford means of concentrating the preferences of independents in opposition to those of organization men.

PRIMARY ELECTIONS ONLY WHEN NEEDED

If the candidates proposed by the party representatives prove satisfactory to the rank and file of the party and consequently no rival designations are offered, there is an elimination of the primary election. Surely the indirect choice of party candidates by a group of party men in whose selection all, or practically all, the party adherents participated would more fairly represent the desires of the party members than the direct choice of candidates sponsored by nobody, running at their own sweet will (when not backed by the organization), and voted for by a fraction of the party membership in the present direct primary.

But suppose the candidates designated by these party representatives are unsatisfactory to the party members? A certain number of the latter may then designate other candidates for nomination and a primary election will be held to decide the contests. The men with no sizable following will probably see the hopelessness of running and remain off the ticket. It will take unity to defeat the candidates proposed by the party representatives and it may turn out that independents, opponents of the organization, realizing this, will center their fight on a single candidate or series of candidates. It must be remembered that all factions will have had a voice in the selection of party representatives and that consequently there is a strong presumption that the candidates designated by these representatives are really approved by the rank and file. This probability would seem to be much greater than when, as now, the party candidates are very frequently the choice of a few leaders, after the customary dickering for the positions on the slate, ratified by a fraction of the party voters.

A DETACHABLE COUPON SCHEME

However, granted that a deciding primary must be held, as will doubtless be the case in many elections for various areas, the second great problem of the direct primary arises: how now will party membership be determined; who may vote at the party primary? The answer is, the same voters who supported the party ticket at the last general election to a degree sufficient to entitle them, under the law, to vote for the party representative. But how will these voters be confined to their respective primaries without discovering their party affiliation to others, to a public official at any rate? At the bottom of the general election ballot, on detachable coupons, print the names of all parties entitled to make nominations by means of the direct primary. On the reverse of each coupon print the customary facsimile of the proper official's signature. Let the voter tear off the coupon of his party, seal it in an envelope, attach his signature, and deposit the envelope in a box. These envelopes will not be opened by any official; they will be preserved until the primary is held, if one becomes necessary, and at the primary will be presented to the voter, on application, along with the primary ballots of all parties. To make participation in the primary of any party valid, the voter must attach the coupon bearing the name of that party to the primary ballot of that party before he deposits it in the ballot box. His party affiliation is thus preserved absolutely secret and yet he is restricted to the party to which he belongs and which he supported at the last preceding election. Of course, details of a law covering these points could be drawn up to provide for voters removing from one precinct to another, for voters unable to read and write, and so on. If it is feared that the voter might use the coupon of a party which he did not support, the law could provide a penalty by authorizing the rejection of any ballot from which an improper coupon had been detached, or the invalidation on such ballot of the vote for party representative. The ballot itself will contain the evidence necessary to a decision on this point. The requirement that a voter should support a majority of all his party's candidates, or any specific candidates, in order to qualify as a party member for voting in the primary might produce a rigidity which probably does not now exist with reference to party membership even in states such as New York, which have strict enrollment laws, because many independently inclined voters, who are regularly known and enrolled as Democrats or Republicans for the primary, probably exercise little care to support any particular number or fraction of Democratic or Republican candidates at a general election. If it should be deemed advisable to preserve such a somewhat loose separation of parties for primary elections the voter might be permitted to enclose in the envelope the coupon of any party he wishes regardless of the ticket he has just voted.

OBJECTIONS ANSWERED

If it be objected to the first part of this proposed plan, that to party representatives, chosen nearly a year in advance, should not be delegated so much influence in determining the party's candidates, it may be answered that such power is frequently, if not usually, exercised now by party organizations, members of which are chosen at a primary still longer in advance of the primary at which they exercise their control, and chosen very often by a mere fraction of the party voters, not to say practically appointed by a few leaders, since, performing no visible and important functions under the law, these members of the organization elicit no interest in their election at the primary and contests are rare indeed. But these committeemen are by no means without influence in the primary campaign. It is submitted that the voter would be much more concerned in the choice of party representatives, possessed of definite legal power to designate party candidates, than he now is in the choice of party committeemen whose nominal function is merely to conduct the campaign. The campaign committee could better be chosen by the party representatives or by the candidates for the various areas.

If it be objected to the second part of the proposal that it is too complicated, the question may be raised in reply whether it is more complicated than the methods of enrollment ordinarily employed now, for example that of New York.

These suggestions are not advanced as a panacea for all the direct primary's defects but only as possible improvements adapted, perhaps, to increase the facility of its operation and the quality of its product. If they would in operation detract at all from the effectiveness of real popular control of parties and government, they are to be rejected.

THE FATE OF THE FIVE-CENT FARE

IV. OLD ERRORS BEAR THEIR LOGICAL FRUIT IN CHICAGO

BY CHARLES K. MOHLER

The famous 1907 traction settlement has permitted the steady inflation of capitalization to a point so far above true value that a five-cent fare with current costs can no longer carry the burden and any solution that is fair to the city must mean great losses to the investors. :: ::

THE cities of this country most characteristically prominent in the attempts they have made to secure satisfactory solutions of their local transportation problems, are Chicago, Cleveland and San Francisco. Chicago has been engaged in "traction" fights for nearly sixty years, and has not yet reached a sane, honest or satisfactory solution. Cleveland's experiment was apparently satisfactory for a time, but appears again to be unsettled. San Francisco is gradually working out its problem by taking over the transportation service under municipal ownership as fast as the franchises of the private companies expire.

The exploitation of Chicago's transportation began very shortly after the grant of the first effective franchise in 1859. The latest attempt, happily unsuccessful, was during 1918. Much has been written of Chicago's transportation history up to the adoption of the so-called settlement ordinance in 1907, and but little of the developments during the period since that date. This article will be concerned mainly with a brief historical outline; the terms of the 1907 ordinance; the conditions which have since been brought about under it; the ordinance which was brought forward in 1918; and some discussion of the future.

THE EARLY YEARS

The franchise holders divided Chicago into three divisions at the beginning, so that at least two fares were collected from every passenger passing from one division to another. The focus of each division, of course, was the business district.

The first grants given by the city council, and most of those succeeding, up to 1875, were for twenty-five years. In 1865, six years after the first grant, the traction interests went to the state legislature; and, regardless of the violent opposition of the Chicago people and the governor's veto, secured an act to give the companies rights in the Chicago streets for ninety-nine years. Chicago always refused to recognize this "ninety-nine year act "and thereafter almost always endeavored to limit grants to not over twenty-five years. After the city was incorporated under the city and village act in 1875, grants were limited to twenty years.

Many of these original twenty-five year grants contained the provision that the city could purchase the property of the companies at the appraised value at the expiration of the franchise. Municipal ownership was not a developed policy at the time the first grants expired about 1883. While the city always combated the claims made under the ninety-nine year act, and held that it was not valid, the city authorities felt that the temper of the courts was such, that a fair test in the city's interest could not be secured at that time. They, accordingly, extended the franchises to the companies for twenty years to 1903.

Early in 1882 some of the horse car lines were transformed to cable traction. In the early nineties, electric traction was introduced on some of the remaining horse car lines.

Mr. Charles T. Yerkes came to town in 1885. His career in traction high finance, as well as the attendant political corruption, are notorious in traction history.

In the interval between 1883 and 1903, the duration of the extension grant, the service had become so bad, the financial exploitation so extensive, and the political corruption so flagrant, that the citizens were finally forced to undertake corrective measures.

Bills ("the Humphrey Bills"), laws ("The Allen Law"), and ordinances, intended to greatly enlarge the rights and privileges of the traction companies, were brought forward at different times. These were all bitterly contested by the citizens and finally defeated and repealed.

A number of reports were prepared and published, such as the report of special committee of the city council —on the street railway franchises and operations, 1898; the street railway commission report in 1900; the report of the civic federation, 1901; the Arnold report, 1902, etc. During this time a large degree of public sentiment developed in favor of municipal ownership as the proper solution of the transportation problem.

The mayoralty election in 1905 hinged on the issue of "immediate municipal ownership." The Democratic candidate was elected on that platform. On March 12, 1906, the United States supreme court decided the ninety-nine year act controversy litigation in the city's favor. During the 1905–07 period, many propositions were proposed and considered.

At a number of elections during and preceding this period, municipal ownership had been tested as an issue and always carried by good majorities. In spite of the expressed public sentiment and intent in favor of municipal ownership, and the favorable decision of the supreme court on the ninety-nine year act in favor of the city, there was finally brought forward an ordinance that has come to be known as the "1907 settlement ordinance." While the controversies were going on, the companies allowed their properties to run down and the service to become intolerable. With the companies virtually defeated at every turn, and municipal ownership within reach of a firm grasp, the people were induced to throw it away for specious promises that: immediate service betterment would be secured; the city would receive 55 per cent of the net profits; the city would have the right to purchase the property and equipment of the companies at a fixed price at any time upon six months' notice, for municipal ownership; etc.

THE 1907 ORDINANCE

The city council adopted the settlement ordinance in February, 1907, and it was approved by referendum vote early in the following April. As was to have been expected, the results of the "settlement" are disappointing in almost every particular.

The outstanding features of the ordinance may be listed under:

A. Real and supposed advantages to the city.

B. Advantages to the companies.

C. Provisions not to the advantage of either the city or the companies.

D. Advantages lost to the patrons (inside and outside the city limits).

The details of these features are substantially as follows:

A. Real and Supposed Advantages to the City

(1) Reconstruction and re-equipment of the lines. Heavy grooved rail and modern track equipment substituted for old light rail and equipment. (This has been realized but at an unjustified addition to capital account.)

(2) Replacement of old cable and horse cars by electric equipment (giving larger and more comfortable cars, higher speed, etc.) (This has been realized likewise with unwarranted capital account increases.)

(3) Definite provision for twenty-one through routes, and as many more as necessary. (This provision has never been satisfactorily realized.)

(4) Universal transfers except in a definite down town district. (Realized.)

(5) The city to receive 55 per cent of the net profits. (Realized.)

(6) The city acquired the right to purchase the properties at any time on six months' notice upon paying a predetermined price; also the right to delegate the privileges to purchase to another company: (a) at the same price that the city would have to pay if the profits were limited to 5 per cent; (b) under terms 20 per cent higher than the city would have to pay if profits were not limited. (Now almost impossible of realization owing to the excessive inflation of the capital account.)

(7) The city to have the right to require: (a) extensions of a certain amount each year; (b) the companies required to furnish $5,000,000 to apply on the construction of subways when the city so demanded. (Necessary extensions made but always with 10 per cent contractors' profits and 5 per cent brokerage.)

(8) A board of supervising engineers (city to appoint one member, companies one member, and one member named in the ordinance) was created to supervise specifications, letting of contracts, construction, accounting, to furnish certificates for additions to capital account, and with certain limited authority relating to the supervision of service. (Not sufficiently satisfactory in the city's interest.)

(9) The city comptroller authorized to prescribe methods of book keeping. Requirement that the books of the company shall be open to the inspection of the city comptroller at all times, and the companies required to furnish sworn annual reports. (The provisions are complied with.)

(10) The city given the right through the board of supervising engineers to limit the salaries paid company officials. (This function has never been exercised as there are unquestionably some excessive salaries paid.)

(11) The ordinance stipulates the city shall have the right to define and regulate service by ordinance. (This provision is practically a dead letter.)

(12) The companies required to clean and sprinkle streets. (This work is now done by the city but paid for by the companies.)

(13) The ordinance contains forfeiture provisions for non-compliance with regulating ordinances, etc. (It has not proven an effective club to get adequate service.)

B. Advantages to the Companies

(1) The companies were given definite franchise grants for twenty years. At the time of the settlement many important franchises had expired, oth-

ers were about to expire, and the whole situation was confused and uncertain. (The longest term but an unimportant franchise would have expired in 1921.)

(2) The companies were given the right to substitute electric for cable traction in the principal streets and in the down town business district.

(3) They were allowed what would appear to be a very liberal new value appraisal figure of $56,221,603 for about 421.8 miles of single track, or about $133,350 per mile on their old property.

(4) While the ordinance provided for a large amount of "*immediate rehabilitation*," of track and equipment within three years, the amount written off from the appraised new value, of old, almost worn out and obsolete track and equipment, was only 25½ per cent. The figure of value then left and put into the capital account was $56,221,603 reduced by 25½ per cent or about $41,977,450. (After three years little of the property represented by $41,977,450 was left except the small per cent covered by real estate. It is all in the capital account today however.)

(5) They were allowed about $9,000,000 for franchise value which was also authorized and put in as part of their capital account. (This is some times termed nuisance value, or the price paid to clear up, and get rid of an intolerable situation. To say the least that is a charitable view to take.)

(6) They were allowed to charge up to capital account practically all of the money that was spent for reconstruction and re-equipment during the three years of immediate rehabilitation dating from the passage of the ordinance. (The companies apparently made full use of this opportunity.)

(7) During the life of the franchise, the companies are allowed *10 per cent contractors' profits*, on all purchases of material and equipment, costs for labor, superintendence, engineering, legal expenses, etc., connected with the three year rehabilitation period, and also on all new construction, and additions to plant, and this is added to capital account. (Apparently none of these opportunities have been lost by the companies.)

(8) For all funds required, as per item (7) above, the companies are allowed 5 per cent brokerage for procuring funds, and this is also added to the capital account. (This privilege was also fully utilized. It does not appear that the capital account was left without the addition accorded by this privilege at any time.)

(9) There is apparently no adequate requirement that obliges the companies to write off obsolete and discarded material, equipment and property.

(10) The requirements for depreciation reserves are too loose, and the amounts actually required to be set aside or set up in the accounts are inadequate. (The properties are wearing out without adequate funds for replacements.)

(11) It is questionable if the requirements for maintenance funds are at all adequate.

(12) Bonds may be issued to the full amount of the "capital accounts," and they are to run to the end of the franchise period in 1927. Sinking funds are not required or provided for retiring bonds, either before, or at maturity when the franchise expires. (This leaves the honest bond investor in a precarious predicament.)

(13) The companies have the right to appoint one of the three members of the board of supervising engineers. (This can not be expected to and has not worked out to the public interest.)

(14) While the state law provides for condemnation of traction properties for municipal ownership, the ordinance contains no provision, or reference, to this means of acquiring the properties.

C. Provisions not to the Advantage of Either the City or the Companies

(1) The ordinance specifically prohibits the use of trailers. (The door should not be deliberately closed to any reasonable means of rendering adequate service. Trailers are used and are successful in other cities.)

D. Advantages Lost to the Patrons (Inside and Outside City Limits)

(1) All street car lines are stopped at the city limits, thus requiring change of cars and the payment of an extra fare. (Some of the service that formerly cost five cents, now costs twelve cents. If the companies had been granted their petition to charge seven cents, by the state commission, it would have been fourteen cents.)

WHERE THE 1907 ORDINANCE FAILED

From the preceding outline and limited comments, the really vicious features of this settlement ordinance do not fully appear. As stated in the language and terms of the ordinance, they are even less apparent. Where the terms of the ordinance are to the advantage of the companies, they have been complied with to the letter. Where they are not to the companies' advantage, they are evaded in almost every possible way.

The different features of the settlement and ordinance which have operated distinctly to the city's disadvantage will be discussed somewhat in detail.

The net results of the "promises" of the 1907 "settlement ordinance" are:

I. EXCESS CAPITAL ACCOUNT

A capital account of about $157,000,000 has been created, while the honest new cost value of the property which it covers is little, if any, over $100,000,000. This "capital account" is really a work of art in high finance. Any attempt to criticize or condemn this sacred white elephant of "capital account" bequeathed by the "settlement ordinance," was, and is still, met with the declaration that the "settlement" was a compromise; that embodied absolutely the best that could be secured from the companies at the time; that it was approved by popular referendum vote, etc.

The values allowed, in the original and several less important subsequent ordinances, on all old properties and claims amounted to $55,775,000. This was made up of some actual usable property, property about to be discarded, claims for franchise values, etc.

It will be of interest to note the disposition that the Illinois public utilities commission makes of some of the items in the "capital account" of $156,481,859 which the companies claimed and presented in their recent petition as the basis for the right to charge seven-cent fares. In the decision of April 25, 1919, denying the petition, is found in substance the following:

"The companies will not be permitted to repudiate the condition as to fares and, at the same time, to insist on this valuation."

Concerning the item of *franchise values*, in the "capital account," the commission says: "We find . . . that the aggregate . . . amounting to $9,016,971 must be deducted. . . ." There is then made another deduction on the same basis of $1,128,892, taking a total of $10,145,852.

"In the item covering paving. . . . These items aggregated at least $8,000,000, and under the evidence, we can not include this amount . . . ."

Property replaced, but still in the "capital account." "This item of $14,794,566, therefore, appears from evidence, to represent property which is no longer in existence, . . . there is no basis for including this item. . . ."

This pruning process was continued until about $45,000,000 was lopped off from this wonderful but sacred "capital account."

Again we have the testimony of the companies' own attorneys on the "capital account." In September of 1917, the companies' representatives were called before the Cook county board of review to answer certain inquiries about the value of their properties, and the amounts for which they were assessed. In the course of the proceedings, one of the attorneys stated: "So that there is . . . at least $85,000,000, or $90,000,000 that is not represented by any property at all, and it is in this capital account. . . . It can never be contended for a moment that the capital account represents the value of anything."

Having reached this state of affairs, we may inquire to what extent the provisions of the 1907 settlement ordinance are responsible for:

1st. *High Property Values.* Excessively high values allowed for old worn out property to be discarded. As before stated this old junk was put in the capital account at about 75 per cent of its new value and has never been written off although most of it was displaced and discarded during the three years of rehabilitation.

2nd. *Allowance for Franchise Values.* This is the most inexcusable bit of high finance allowed in the whole proceeding. At the time of the "settlement," many of the franchises on streets over which the companies were operating, had expired, and others were about to expire; while the longest to run (an unimportant franchise), expired in 1921. As the companies were never stopped from operating, and, as they were given a new franchise for twenty years (six years longer than any of their unimportant remaining rights), it is hardly understandable what could justify allowing the companies large values for something they really never *owned* and never relinquished. The excuse has been offered that under the new ordinance, they were to share with the city 55 per cent of the net profits, while under the condition they were then operating, they were entitled to, and would retain, all of the profits. This is little other than pure fiction.

It should be remembered in this connection, that if the companies had maintained a proper depreciation reserve account, they probably would have had *less net profit* than they have actually received under the settlement ordinance.

3rd. *Cost of Rehabilitation.* The additions to capital account from this source is altogether without justification. In the report of the civic federation, published in 1901, it is shown that the Chicago City Railway Company from 1882–98 (16 years), paid average annual dividends of 44.63 per cent. From 1898–1901 inclusive, the average was nearly 31 per cent. Under honest financing and management, the north and west side lines would have shown a result only a little less favorable than that of the Chicago City Railway Company.

Under such conditions, what excuse is there for a company that is operating a going concern to demand that it be allowed to charge up to capital account, the money that is required to *reconstruct* the property that it has purposely let run down and wear out without maintaining adequate depreciation reserves and at the same time not write off the value of the discarded and replaced property? In the face of these facts, the ordinance nevertheless provided that the companies could charge to capital account all money spent on rehabilitation during the three year period following the passage of the ordinance, except the amount left by deducting the operating expense from 70 per cent of the gross earnings, which difference was to go into reconstruction without charge to capital account. This provision of the ordinance has injected about $42,000,000 of "dead horse" into the capital account which should never have been allowed at all.

Rehabilitation funds should have been supplied by the companies themselves, out of depreciation reserves. In the matter of claims for their rights and privileges they were very inclusive. In fulfilling their obligations for service and conservative financing, they have not met the honest and reasonable demands.

4th. *Ten per cent Contractors' Profits*. This is still another piece of high finance allowed by the settlement ordinance so inexcusable that even its former advocates and apologists are now forced to admit that it has no justification. Of course, the ordinary conception of allowance for contractors' profits would be those to cover a special piece of construction, such as building a new piece of track, or the erection of a building where the work was undertaken by the company with its own labor and equipment. While this might be reasonable enough under those assumptions, it is hard to understand why a going concern should be allowed to charge contractors' profits and then credit them to its capital account, for rebuilding or renewing its track and equipment that should have been taken care of out of depreciation reserves.

That, however, is not the full extent or worst of this arrangement. They are to-day adding 10 per cent on all new purchases for additions, and including it in capital account. To illustrate: a new typewriter, costing normally $100, is to be purchased, and the cost added to capital account. They are allowed 10 per cent contractors' profits, or $10 to have an agent sell them the typewriter. If they buy a standard car costing $5,000, it is a little hard to understand why they should be allowed 10 per cent contractors' profits, or $500 for buying it. In other words, the $100 typewriter goes in to the "capital account" at $110, and the $5,000 car at $5,500. The purchase of all new equipment for additions as well as betterments to the property of what ever nature, contributes to this item of high finance in the same way. "Contractors' profits" have now contributed something over $8,000,000 to make up the $156,481,859 "capital account." The state utilities commission was not convinced that the item was entitled to returns, and dropped it from consideration.

5th. *Brokerage Allowance*. Brokerage allowance of 5 per cent has added over $4,000,000 to "capital account." It is equally hard to understand why a reputable, solvent concern should have to be allowed 5 per cent, or $5 to find the money to buy a $100 typewriter. Contractors' profits and brokerage together put the $100 typewriter into capital account at $115. The state utilities commission also eliminated this item.

II. INADEQUATE DEPRECIATION RESERVES

(*a*) *The City's Bad Bargain to Purchase*

(*b*) *The Honest Investors Predicament*

(a) The depreciation account, or reserve, has been carried on the basis of 8 per cent of gross earnings. This gives an annual amount of about $2,800,000. As to why this reserve should be placed at 8 per cent is not clear. The average life of the property is little, if any, over twenty years. That would give an annual depreciation of about 5 per cent on the cost value of the property. That amount applied to the "capital account" of $156,481,859, would call for an annual reserve of about $7,824,093, leaving a difference of about $5,000,000 between the actual reserve based on gross earnings and the amount necessary to maintain the "integrity" of the "capital account." To illustrate further: The accumulated depreciation reserve now amounts to a little over $9,000,000: the actual depreciated *property-value* back of the $156,481,859; capital account is probably little, if any, above $65,000,000. Under those conditions we should expect a depreciation reserve of about $91,000,000; we find, however, only about $9,000,000. Adding the $9,000,000 to the $65,000,000 gives a present property value to back the capital account of about $74,000,000. It is a poor rule that does not work both ways; a high capital account should call for a high depreciation reserve. The proper or adequate reserve should be about $91,000,000, the actual reserve on hand is about $9,000,000, or about one-tenth of what it should be to maintain the integrity of the "capital account."

It is thus seen how the city has been jobbed on "the right to purchase at any time on six months' notice" for municipal ownership. If the attempt were made to purchase to-day, the city would have to pay over *$156,000,000* for second hand property physically worth about $65,000,000 or less, to which add the depreciation reserve of about $9,000,000 making a total of about $74,000,000. To this, in case of purchase by the city, may be added the city's share of the net profits amounting to something over $22,000,000. (That is a charitable view to take, of course, as these net profits are supposed to be the city's own. However, adding these all together gives only $96,000,000 or about $60,000,000 short of reaching the high water mark in the capital account.

(b) *The Honest Investor's Predicament.* The investing public has been jobbed to an equal, if not a greater, degree. The total outstanding lien bonds against the property amount to over $135,000,000, of which about $95,000,000 are first mortgage bonds. These all run to the end of the franchise period in 1927 without any sinking fund reserve. One is led to wonder what is to happen to these securities at the termination of the franchise with nothing but second hand physical property back of them, worth probably less than $50,000,000. As an index to the investors' state of mind, the 5 per cent first mortgage bonds have declined from above par to a market value of about 72 and 75, or lower.

The companies or the security holders have no further hold or claim on the $22,000,000 now in the city's possession unless some scheme is hatched up and put over for the companies' benefit.

It may not be amiss to give a little more financial detail at this point. The Chicago Railways Company (the old Yerkes lines) comprising a little over one half of the street railway mileage of the city, has outstanding lien bonds against the property amounting to somewhere between ninety-one and ninety-five million dollars. The depreciated value of the property today is probably somewhere between thirty-two and thirty-five million dollars. The title to the property is actually controlled by $100,000 of outstanding stock. It will thus be seen that bondholders have been induced to invest in securities amounting to about $91,000,000 to $95,000,000, or nearly three times what the property is physically worth to-day that is back of them. As before stated, no sinking funds are provided, and the bonds do not become due until the end of the franchise. The property will have still further depreciated by that time. Still the bondholders are helpless as long as the interest is paid, and the property is not thrown into the hands of a receiver. The $100,000 stock, or title control of this property has taken out of the net profits for its own, probably about $9,000,000. The $9,000,000 net profit may have been reduced by several million dollars for the payment of interest on outstanding bonds in excess of the "capital account." This has been distributed among a large number of participating certificates issued and sold to the public. It seems about their only function is to give to the purchaser a gamble, or chance at the divisable net receipts when there are any.

III. UNSATISFACTORY SERVICE

For a time after the passage of the settlement ordinance and the rehabilitation was completed, the service was reasonably satisfactory. Through routing through the business district has never been established to the extent that it should be. As a matter of fact, the "21 through routes" were little more than a name for a considerable time, and some are only that to-day. There is entirely too much looping and turning back of surface cars in the business district. In 1915, the state public utilities commission gave an order requiring additional through routing in the business district, turn back service outside of the business district, and the use of trailers. The companies met the order with non-compliance and litigation on the question of the jurisdiction of the Commission.

With constantly growing traffic in the city, the companies have purchased few, if any, cars since 1914. The overcrowding on cars during the morning and evening rush hours on many, if not most, lines, is inexcusable and positively indecent.

The Use of Trailers. The prohibition of the use of trailers by the ordinance was listed as a disadvantage to both the city and the companies. This is believed true for the following reasons: (a) the carrying capacity of a heavy traffic line can be nearly doubled without changing the schedule, by adding a trailer to the motor unit; (b) less track space is taken up for a given carrying capacity; (c) the cost of the trail car is less than for all motor equipment; (d) the labor cost of operation is less. The disadvantages are slight as compared to the gains in the use of trailers for rush hour service. The public has to suffer crowding and inconvenience in some cases that could not well be changed or avoided without the use of trailers.

Service to Adjoining Territory. Previous to the passage of the ordinance, few, if any, of the lines, terminated at the city limits. In many cases a single five-cent fare would carry a passenger well beyond the city limits. Practically all lines now terminate at the city limits, and in addition to changing cars, passengers are invariably charged an additional fare.

UNIFICATION ORDINANCE OF 1913

In 1913, what was known as the unification ordinance was passed, providing for the unified operation of all the surface lines. The entire surface line system, comprising something over 1,000 miles of single track, is now operated as one unit. A single five-cent fare applies to the entire city, and universal transfers are given, including the formerly excepted business district.

TRACTION AND SUBWAY COMMISSION REPORT ON THE ELEVATED ROADS

In 1915, the city council provided for the appointment of the Chicago traction and subway commission; and at the end of 1916, this commission presented its report. This report recommended the unification of the surface and elevated lines, with rather extensive elevated line construction in the outlying districts; and subway construction for both the rapid transit and the surface cars in the business district.

ATTEMPTED TRACTION LEGISLATION IN 1917

In 1917, the traction interests made an effort to secure legislation allowing franchise grants for fifty years; and also to allow consolidation of the surface and elevated lines. Owing to the determined opposition on the part of the Chicago citizens, the legislation was not passed. The attempt was then made to secure legislation allowing thirty year grants. This was likewise defeated.

PASSAGE AND REFERENDUM DEFEAT OF 1918 ORDINANCE

An ordinance was prepared and passed by the city council over the mayor's veto in 1918, known as the "trustee plan." This provided for a board of trustees, the consolidation of the elevated lines with the surface lines, refinancing, etc. At the popular vote referendum in the fall election, the measure was defeated by about 34,000 majority. The opponents of the ordinance considered it one of the most vicious pieces of franchise legislation that has ever been attempted in any American city.

At the time the ordinance was passed to create the traction and subway commission, one of the progressive, public-spirited aldermen endeavored to have the requirement embodied in the ordinance for a revaluation of the surface lines. This was defeated and the inflated "capital account" left as the basis of value.

WHY THE 1918 ORDINANCE WAS WANTED BY THE INTERESTS

While there are undoubtedly advantages to be derived from the unified operation of both the elevated and surface line systems, it has never been urged by any wide spread popular demand on the part of the people. Unification for service betterment was, however, offered as the bait for approval of the trustee plan. Although the ordinance was defeated, it may be worth while to note some of the stakes of the play.

It is not generally known that the entire surface traction properties at the present time are loaded up with outstanding claims almost, if not fully, equivalent to the amount per mile of track that C. T. Yerkes was able to pile on the old union traction system in his day. Not only that, but the major portion of the Yerkes securities were stocks, while the major portion of the present surface line securities are bonds. The present outstanding bonds of the elevated roads are about $50,000,000, or probably a little more than the equivalent of the depreciated value of the property.

The value of the combined surface and elevated line properties as fixed by the ordinance was put at about $220,000,000. This was to be the basis for computing returns, and also the price the city would have to pay in case of purchase, plus such additions as were made. For the basis of returns, this was about *$56,000,000 in excess* of a conservative estimate of value, and for the basis of purchase by the city, it was about *$90,000,000 too high.* The ordinance, in effect, would have amounted to a perpetual grant. Though the city was given the right to purchase at any time, the inflated price, the city would have to pay, was such as to practically prohibit purchase. No adequate relief could be expected from the depreciation reserve, as that was on the basis of 8 per cent of the gross earnings, the same as for the 1907 ordinance.

Guaranteed returns of 6.2 per cent for 14 years, and 5.8 per cent thereafter, were to be paid on all of this over-capitalization. This would amount to an excess annual return of from four and a half to five and a half million dollars. Fares were to be raised to meet operating expenses and fixed charges, what ever they might be. (The 1907 ordinance gives no guaranteed returns and net receipts can be secured only after the returns of 5 per cent is made on the capital account.)

The trustees were authorized to purchase, or build, transportation lines for twenty miles beyond the city limits in any direction. This would have meant an open field for the exploitation of these lines by the traction "financeers."

CAMPAIGN PROMISES IN BEHALF OF THE 1918 ORDINANCE

The claims made for the ordinance were: that service was to be rendered at cost; that it was virtually municipal ownership; and that it would take the traction question out of politics. Large amounts were spent in the campaign to put the ordinance over, at least some of which was furnished by the traction interests, who showed an unusual amount of anxiety to have the vote for the ordinance carry, although it was announced before the ordinance passed the council that a very hard bargain had been forced upon the companies, and that it was impossible to force further concessions from them. As evidence that the companies were desperately driven by the hard terms of the bargain forced upon them, a grand jury investigation and report, following the passage of the ordinance, stated that while convicting evidence of bribery was not obtainable, there was the gravest suspicion that the improper use of money was an important factor in its passage. It was also brought out in the testimony before the state utilities commission that the association of commerce committee appointed to campaign for the ordinance, had spent a large amount to have the ordinance put over at the referendum election. It was also shown that at least about one eighth of the amount spent by the committee was furnished by the traction companies.

TRACTION LEGISLATION SOUGHT IN 1919

Bills were introduced in the Legislature having as their purpose:

1st. To give the elevated and surface lines the right to consolidate.

2nd. To give the city the right to lease the property from the companies.

3rd. To increase the revenue borrowing power of the city.

Other bills having more or less direct relation to the above were introduced also. None of the measures passed, if the writer is correctly advised.

WHAT OF THE FUTURE?

Can the five-cent fare survive in Chicago? The new cost value of the Chicago surface lines is possibly less than $100,000,000. With a twenty year life this will call for a reserve, or expenditure for depreciation and renewal, of about $5,000,000 a year. The utilities commission estimated that under present wages and operating conditions, the companies this year will earn a net return over operating expenses, of about $8,500,000. Five per cent returns on the investment of $100,000,000 will absorb about $5,000,000 of this net, leaving $3,600,000 to go to the depreciation reserve. With bond interest at 4 per cent as a municipal project, "returns" would absorb about $4,000,000 leaving about $4,600,000 for the depreciation reserve.

It is believed that the elevated roads under public ownership could be operated in connection with the surface lines, and at least the major portion of the service carried on for a five-cent fare. Special assessments might be resorted to, to care for at least part of the cost for right of way and structures. There could be adjustments for long rides and transfer charges if necessary to provide for costs of the service. If it can be avoided, a change from a five to a ten-cent fare, as at present practiced, should not be employed. If a flat five-cent fare is not sufficient a graded fare is unquestionably to be preferred over the straight five-cent increase from one zone to another, whenever the conditions are reasonably favorable.

Constructive city planning and development should play a large and important part in the transportation problems of the future. One of the aims should be to so plan and develop our cities as to reduce where ever possible the demands for transportation. Plan to bring industries nearer to the homes of the worker so that he can live within walking distance of his work. Many industries in any large city that are now carried on in the congested districts, where all of their employees have to use transportation, could, in many cases to the advantage of the business itself, be moved out to where all could walk to and from their work.

The fixed charges on subways can not be carried with a five-cent fare without indecent and outrageous over crowding of cars. If subways have to be resorted to, as has been much talked of and urged in Chicago, then they should be paid for by assessing benefits to adjoining property and that in the immediate vicinity.

A six-cent fare has been collected on the elevated lines for about a year under the sanction of the state public utilities commission. The merits of the fare increase have not been fully gone into by the commission on the basis of actual property value, but was granted as a war emergency rate, and is subject to review.

If the transportation business were carried on as a municipal enterprise, there are a number of ways in which a part of the "burden" could be shifted before it would become necessary to raise fares above five cents. The abutting property owners could be required to pay a part of the cost of paving between the tracks which is now all paid for by the car riders. Extensions and reconstruction could be paid for at least in part, by assessing benefits to the property benefited by the transportation facilities, rather than for the car riders having to bear all the burden of these costs. Lower interest charges, and conducting the enterprise without profit as a municipal undertaking is of the greatest importance. Decent service on a five-cent fare will have to be based on conservative, honest financing. It can not stand any such financial exploitation as has been carried on under the 1907 ordinance, or under the burden of over-capitalization that would have been created under the proposed trustee plan of 1918 with possible added exploitation.

If the trustee plan had been approved by popular vote, it would have been virtually impossible for the city ever to rid itself of the burden of over-capitalization that was injected into the contract, and with the door open for additional exploitation.

Under expert advice and legal sanction, the city of Chicago has allowed financial exploitation of the traction properties and suffered from bad service, almost, if not quite equal to, that experienced under the régime of C. T. Yerkes.

What Chicago seems to need most of all in connection with its traction problem, is the application of sturdy constructive thought and honesty of purpose, in the interests of the traveling public, rather than to help out reckless or dishonest financial interests. This does not mean new franchise grants, trustee plans, leasing plans, etc., but public ownership and operation of transportation on a sound, honest, unselfish, civic-spirited basis.

(Since the preparation of the article a strike was called on the surface and elevated lines and an increase in wages secured. The principles of the problem, however, remain the same.)

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

Ports and Terminal Facilities. By Roy Samuel MacElwee. New York: McGraw Hill Book Company, 1918. 315 pp.

This is one of the most interesting and authoritative works on the subject of ports and terminals which has yet been written. "Not only engineers, economists and administrators, but also the general public should be interested." In his first chapter Dr. MacElwee discusses the nature of the problem and shows why it is of special importance at the present time.

The physical characteristics and relative importance of the world's leading ports are then set forth, with comparisons of such ports as New York, London, Liverpool, Hamburg, Hong Kong, etc. It is interesting to note that some of the greatest ports in the world are situated from 15 to 150 miles from the high seas. The comparison between New York and such other great ports as Antwerp and Bremen demonstrates that efficiency of a port does not depend on its size. In order to describe to the student what a port should be in all its parts, the imaginary, ideal port is constructed. The port in which every steamship line entering it can be served by every railroad line serving it without differentials is the port which is bound to be most successful. Such ports as Baltimore, and Boston are languishing because such a condition does not exist.

The chapter on lighterage is of special interest in relation to the port of New York, because at that port lighterage is used to a large extent, taking the place of a belt line railroad. At such foreign ports as Hamburg the lighter is used more as a dray for truck delivery. The chapter on cartage gives a full description of the problem of trucking.

Dr. MacElwee has given a great deal of space to the physical characteristics of piers, sheds, etc., and various methods of construction. This part of the book is profusely illustrated and is particularly interesting to the terminal engineer. Various mechanical devices such as cranes, conveyors, electric trucks for the economical transfer of baggage and miscellaneous freight are described. It is a striking fact that these mechanical devices are used abroad more extensively than in this country, despite the higher cost of unskilled labor here. Machines used for mechanical handling of bulk freight, such as coal, ore, grain, etc., have on the contrary been developed to a high degree in this country and are profitably and extensively used.

As in many other spheres of activity we are forced to look to Europe for the best examples of inland water way development. To appreciate the great influence of the inland water way upon the development of the seaport, one has only to look at such a port as Rotterdam. In this country, New York is the best example of a port served by an inland water way.

In closing his admirable work Dr. MacElwee says: "May these chapters on ports help to point the way to a greater American understanding of the problems involved and to renewed energy of execution." We believe they will.

C. A. Rohr.

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Problems of Reconstruction. By Isaac Lippincott. New York: The Macmillan Company, 1919.

For the student of government control during war time Professor Lippincott has brought together a vast amount of helpful information taken from official documents. He has nine chapters headed as follows: the need of reconstruction; war control (food products); war control (fuel administration); war labor control; other elements of control; war control in foreign countries; economic results of the war; reconstruction in foreign countries; a reconstruction plan for the United States.

So far as lay readers attempt to use this material they will regret a method of marshaling it which makes it unnecessarily hard to read. The introductory and concluding chapters on reconstruction share this fault, especially the concluding chapter which causes a further disappointment in that it doesn't live up to its title "A Reconstruction Plan," but will be more fittingly described as "Reconstruction possibilities not yet formulated into a plan."

In the descriptions of war control there are many omissions of minor matters such as dates and of graver matters such as results and incidents and psychological factors which were determining elements in war control.

Wm. H. Allen.

✤

History of Suffrage in the United States. By Kirk Porter. Chicago: The University Press. Pp. 260.

To all and sundry American citizens who suspect that the Declaration of Independence established on this continent universal manhood suffrage Mr. Kirk Porter's History of the Suffrage in the United States will be a wholesome shock such as the Philistine always deserves. But those who already know their McMaster, Thorpe, Schirmacher, and other standard books, will find little that is new in its pages, and somethings that are possibly misleading. Take for example, the table on page 13 which does not indicate that in New York there was one suffrage for governor and senate and another for assemblymen. The author would have given firmness to his popular panoramic view, if he had been more careful in the presentation of the troublesome details which after all are necessary to the story. There is still room for a big history of the suffrage giving with meticulous accuracy all of the various qualifications and the steps by which they were gradually modified in the direction of universal suffrage. Until this is done, Mr. Porter's little book will serve as a handy guide to a maze of records and documents. It is an interesting fact that women have not written a corpus juris to support their claim to the ballot, but leave such intellectual gymnastics to the male sex.

C. A. B.

✤

The Farmer and the New Day. By Kenyon L. Butterfield. New York: The Macmillan Company. Pp. 311.

In these days we have new reason to realize that the man who works the land so that it shall produce from its growth is the only real maker of wealth. All others merely transfer or improve, but the farmer creates. That he is intimately related to every hour of our lives we have become painfully aware, because of the very much increased cost to us of the things he produces.

It is thus in point that a man of Dr. Butterfield's breadth, experience, and fine spirit should discuss "The Farmer and the New Day." The book in question, written with a sincere inquiring mind from a ripe experience and amidst the pressure of doing things for the whole world (for Dr. Butterfield has been a courageous and cheerful war worker), sets the problem before the thoughtful reader. It less draws conclusions than states problems, for it is obvious that Dr. Butterfield himself is a student rather than a dogmatic teacher.

The book includes fourteen chapters and considerable appendices. There are three particular divisions, one on "The Rural Problem," another "The Rural Organization," and the third "A Rural Democracy." The inquiry in the first chapter is "Is the farmer coming into his own?" The answer is by no means definite.

That the farmer is entitled to recreation, to country planning, and to precisely the same opportunity, facility, and encouragement as the city dweller, is Dr. Butterfield's contention. That there needs to be worked out a better and broader rural policy is also well set forth, and in Appendix IV there is a considerable approach to the setting out of a tentative American agricultural policy.

This volume is for thoughtful, forward-looking Americans who are willing to think in the new day with new thoughts and to discuss things as they are. It is very heartily commended, as anything ought to be coming from the able, patriotic and broad-minded president of the Massachusetts Agricultural College.

J. Horace McFarland.

✤

The Blind. Their Condition and the Work Being Done for Them in the United States. By Harry Best, Ph.D. New York: The Macmillan Company. 763 pp.

In contrast with much of the literature about the blind, which is written from a sentimental standpoint, Dr. Best has based his book on a study of blindness in the United States from the viewpoint of the social economist. He treats very thoroughly the general, legal, and economic condition of the blind; the possibilities of prevention; educational and intellectual provisions; homes and industrial establishments; such other material provisions as pensions and indemnities; and private and public institutions interested in the blind.

Broken Homes. A Study of Family Desertion and Its Social Treatment. By Joanna C. Colcord. New York: Russell Sage Foundation. 208 pp.

Social workers having passed, first, from the "muddling along" stage in the treatment of family desertion, and later from the second stage (of disciplinary treatment), Miss Colcord's little book is most helpful in enabling us to understand just what is the present method. This may be defined as involving a more careful analysis of relationships and motives, a greater variety of approach, and increased flexibility in treatment, a new faith, perhaps, in the recreative powers latent in human nature. Miss Colcord admirably illustrates this point of view in her book, which is the latest in the Social Work Series edited by Mary E. Richmond.

II. BOOKS RECEIVED

Adventures in Propaganda. Letters from an Intelligent Officer in France. By Captain Heber Blankenhorn. New York: Houghton Mifflin Co. Pp. 167.

Employment Psychology. By Henry C. Link, Ph.D. New York: The Macmillan Co. 1919. Pp. 440.

Fireman. Civil Service Examination Instruction. New York: Civil Service Chronicle. Pp. 132. $2.

Madison Our Home. By Frank A. Gilmore. Issued and Copyrighted by the Madison Board of Commerce. Pp. 192.

Nebraska Blue Book and Historical Register. 1918. Addison E. Sheldon, Editor. Published by Nebraska Legislative Reference Bureau, Lincoln, Neb. Pp. 512.

The Housing of the Unskilled Wage Earner. By Edith Elmer Wood. New York: The Macmillan Co. Pp. 321. $2.25.

The Science of Labour and Its Organization. By Dr. Josefa Ioteyko. New York: .E P. Dutton and Co. Pp. 199. $1.60.

What Happened to Europe. By Frank A. Vanderlip. New York: The Macmillan Company. Pp. 188. $1.25.

Why We Fought. By Capt. Thomas G. Chamberlain. Foreword by Ex-President Taft. New York: The Macmillan Co. Pp. 93. $1.00.

Year Book of the State of Indiana for the Year 1918. Compiled and Published under the Direction of James P. Goodrich, Governor, by the Legislative Reference Bureau, Charles Kettleborough, Director. Indianapolis: William B. Burford, Contractor for State Printing and Binding. Pp. 1054.

III. REVIEWS OF REPORTS

Proceedings of the Conference on a National Department of Public Works.—This pamphlet is valuable for its full record of the consideration given to the proposed establishment of a department of the federal government devoted to the nation's engineering and construction activities.[1] In sending out the proceedings the conference committee has also included other pamphlets and literature showing the desirability of a national department of public works and supporting the Jones-Reavis bill now pending in congress for its establishment. The advantages claimed for such a department are summarized as follows:

1. The United States is, with one exception, the only nation of importance *not* now administering its public works through such a department.

2. The public works activities are now spread out over many departments, with no co-ordination of effort. Duplication necessarily results as well as conflict of authority and great waste of public funds.

3. Public works are strictly technical in their character and require the services of a permanent and skilled personnel for their efficient construction and operation.

4. The creation of such a department would result in the formation of a technical organization competent to administer the engineering work of peace and further to provide the nucleus of an organization capable of being expanded immediately to meet the war construction and research needs of the country.

5. The formation of such a department would attract to its service competent men of a calibre not now available for government work; would

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[1] See National Municipal Review, vol. viii, p. 449.

create a permanent body of skilled, experienced men, competent to undertake new enterprises, whose permanence of employment and pride of accomplishment would create an excellent "esprit de corps."

6. There is no organization in existence capable of rendering this service.

7. It would permit of a unified control over public works and a comprehensive plant for their continuance over a term of years according to a modern and business-like financial plan based on an annual budget.

8. It would give great stimulus to technical research and study, and create machinery whereby we could compete more nearly on a parity in mechanical matters with the research departments of other great powers.

◆

How East Cleveland (Ohio) Reports to Its Citizens.—The first annual report of the city of East Cleveland, Ohio, under commission-manager government is in many respects a model. In forty pages it sets forth to a population of 25,000, in everyday language, and with the help of graphic charts, the manner in which some $24,000 of municipal income was collected and disbursed in conducting the city's affairs. Passing over the admirable record made under the commission-manager plan, this example of a concise record intelligible to the average layman is the chief interest in the report. The ordinary bulky, dry department reports, which are unintelligible to the average citizen, are here condensed (in some cases to a page or half page) so that they present in a nutshell the actual work done.

The new charter association of East Cleveland has taken advantage of this excellent opportunity to issue a bulletin on the report and its contents, as a means of establishing a civic intelligence with relation to the functioning of the commission-manager plan. This appreciation of the psychology of the situation is highly gratifying, and it might be followed with effect by civic bodies in other cities. A fundamental difficulty in establishing and maintaining good government is that the average citizen knows far too little about the philosophy and workings of his government, and (largely as a consequence) does far too little intelligent thinking about it. An incessant effort to spread a popular knowledge of civic matters, through all forms of propaganda, must be one of the cornerstones of any effective movement for permanent improvement.

◆

Public Ownership of Public Utilities.—*The National Economic League Quarterly*, May, 1919, contains a verbatim report of a discussion before the economic club of Boston on the public ownership of public utilities. The discussion, participated in by Samuel O. Dunn, editor of the *Railway Age;* John Martin, publicist; William B. Munro, professor of government, Harvard University; and Delos F. Wilcox, franchise expert, is a valuable contribution on the subject.

◆

Women's Municipal League of Boston Reports Its Year's Work.—The latest annual report of this organization shows a number of commendable activities carried on. More than sixty classes in the civic education of non-English-speaking women have been conducted; classes have been organized for teaching English to foreign-speaking women; continuous exhibits on home economics have been maintained in co-operation with the state board of food administration; a "fair food price list" has been systematically published; the appointment of a mayor's committee on housing was secured; a campaign has been carried on for the passage of an adequate housing code for the city; substantial work has been accomplished in the creation of school gardens; and an efficient clinic has been established for the care of women of moderate means before, during, and after childbirth.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Motor Truck Express Service in New York for Transporting Farm Products.—The New York state committee on food production and distribution has issued a report on its investigation of this subject, in which it urges the establishment of rural motor truck express routes. The report enumerates many such routes that have been established in other states, and summarizes the advantages as follows:

1. Giving a market outlet to food supplies hitherto unavailable because of the distance between producer and the market and lack of transportation.
2. Transportation of produce to the consumer more quickly and in better condition than is possible under present methods.
3. Maintaining of men and horses on the farms who now spend a great part of their time driving to market.
4. Elimination of unnecessary handling and special packing of produce involved in shipping by rail.
5. Establishment of more direct connections between farmer and market.
6. Encouragement of diversity in farming, as a result of widening the market areas.
7. Substituting for the disinterested impersonality and limited liability of railroad shipping on short hauls, an agency that personally collects and delivers produce, performing marketing as well as transportation functions.
8. Serving as a feeder to the railroads and water transportation lines.

The committee recommends a constructive state policy toward the development of rural motor express routes, and since the state function in this respect is regarded as being largely educational, it is recommended that the governor appoint a temporary non-salaried state highways transport committee, which shall include the state commissioner of highways, a representative of the state college of agriculture or the county farm bureau organization, a representative of the state department of farms and markets and two other public-spirited men interested in this subject but not connected with any concern having to do with the manufacture or sale of motor trucks.

The purpose of this committee is described as follows:

1. To secure the co-operation of existing governmental agencies including county farm bureau managers, municipal officials and state departments, together with organizations of farmers, food distributors and consumers, in formulating a program for the development of rural motor truck express routes in the localities of the state where they will aid most in giving the farmer a more direct outlet for his produce and in supplementing the existing transportation facilities.

2. To co-ordinate the state's policy of highway construction and improvement as far as possible, with the needs of this program.

3. To stimulate interest in the development of rural motor truck transportation, give publicity to the public utility of the rural motor express and furnish authentic information regarding the conditions under which it may be profitable and of greatest service.

4. To recommend to the governor any legislation or regulation that may be necessary to protect the interests of the public in the operation of motor truck express lines.

⁂

Reclaiming a City's Waste Materials.—One of the outgrowths of the war industries board is a significant effort instituted in Akron, Ohio, for utilizing so far as possible all of the city's waste materials, such as rags, paper, metals, rubber, etc. Through the Akron Industrial Salvage Company, promoted by the chamber of commerce, a genuine civic movement was put on foot for a city-wide system of waste reclamation to deal not only with the waste from the home, but also with that of the store and the factory.

The advantages of the method adopted in Akron differ from those of ordinary methods of waste collection and disposal, first because of constant experiment to find the most advantageous utilization for every waste element, and second because the pooling system employed enables the individual or firm with a small daily or weekly accumulation to dispose of it as profitably as does the firm with a large turnover. In addition special effort is made to inculcate thrift by showing the added value of proper sorting of wastes.

When the Akron Industrial Salvage Company was first organized at the instance of the chamber of commerce, with a capital of $25,000, the directors had no fixed policy for operation, so that several months were consumed in experimenting with various methods. The most obvious proved not to be the most successful; but eventually the company evolved the plan of itself collecting, sorting, and selling all waste materials, rather than of delegating any of these functions to others. This, despite many difficulties, demonstrated itself to be the most effective course.

In the three months ending January 1, 1919, the company handled approximately 600,000 pounds of waste, of which about 220,000 pounds were sold for a little over $6,000. In the first two months of 1919 the company handled 1,000,000 pounds of waste, and sold $12,000 worth. All indications are that the company is rapidly developing an organization and standardizing its methods of operation, and the conclusion is crystalizing among many who have been watching this experiment that it is demonstrating the potentiality of a salvage company operated for the benefit of the community.

⁂

Municipal Milk Depots in Newark (New Jersey).—These depots have been in existence for about six months, having been established by Mayor Charles P. Gillen of the department of public affairs, who obtained approximately $5,000 with which to start operations. At the present time the three depots are selling approximately 2,000 quarts of grade A pasteurized milk per day at a price of eleven cents per quart, which is about eight cents less than the price charged by regular dealers for grade A milk in bottles.

The milk depots are located in the congested dwelling districts of Newark, where a steady trade has been developed. The milk is sold from large containers in each of the stores. These containers have a faucet arrangement through which the milk is allowed to pour into the receptacle that the customer brings with him or her. Each milk receptacle has to have a cover so that it is protected from a sanitary standpoint during transmit from the milk depots to the home. Most of the patronage of the milk depots is from poor people, but there is occasion for other persons buying from these depots because of the economy.

The money advanced for the establishment of this municipal enterprise must finally be paid back to the city. With the original appropriation a creamery was established by the city at Blairstown, Warren county, about 70 miles from Newark and in a farming section. The pasteurization and shipments are made from the Blairstown creamery.

Frank A. Higgins.

⁂

Community Welfare Department for Indianapolis.—A law passed at the last session of the Indiana legislature provides for the establishment in "each city of the first class"—otherwise known as Indianapolis—of an executive department of community welfare, under the control of a board of sixteen members, appointed by the mayor, and serving without compensation. After the first board is appointed, four appointments are to expire each year, and new appointments are to be made by the mayor from nominations made by ballot by the board, members whose terms are about to expire having no vote in the nominations. The board has authority to accept in the name of the city any gift or bequest made for community welfare purposes, or for an unspecified purpose, and apply such funds to any enterprise involving health, education, safety, pleasure, comfort, welfare, or convenience of, or other benefit to the citizens of the city.

⁂

Salary Standardization at Washington.—The total absence of standard titles, work specifications, or salaries among the great mass of the employes in the federal departments at Washington, whether clerical, labor, or technical, has long been recognized as a fundamental weakness of the entire personnel system governing these employes. For some years past the Civil Service Commission and some of the department heads have repeatedly in their annual reports called attention to the need for a comprehensive, standard classification of this great body of personnel, now numbering over 100,000. More recently the Federal Employes' Union, which has in the past few years very heavily increased its strength among the department employes at Washington (now numbering, it is said, some 30,000 of these as its members), has been persistent in its efforts in the same direction.

The addition of thousands of clerical and technical employes to the Washington forces during the war, almost without exception employed under lump sum appropriations and without any central control as to salary rates or titles, sharply aggravated the existing situation, particularly as the general level of rates offered new employes was substantially higher than had prevailed in the departments before the war.

The result of these several factors was the creation, by act of March 1, 1919 (40 Stat., 1269), of a "Joint Commission on Reclassification of Salaries." By the bill it is made the duty of the commission "to investigate the rates of compensation paid to civilian employes by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the postal service, and report by bill or otherwise as soon as practicable what reclassification and readjustment of compensation should be made, so as to provide uniform and equitable pay for the same character of employment throughout the District of Columbia in the services enumerated."

The commission is composed of three senators, appointed by the vice-president, and three former representatives, who were members of the last congress, appointed by the speaker of the house.

The act appropriated $25,000 for the expenses of the commission, and by the sundry civil appropriation bill for the current fiscal year, recently enacted, an additional appropriation of $50,000 was granted. This does not, however, represent the total resources available to the commission, as the act requires the heads of the various governmental services "to furnish office supplies and equipment, detail offices and employes, furnish data and information, and make investigations whenever requested by the commission." Very extensive use is being made by the commission of the authority granted in this section. In particular, in connection with the great mass of clerical work involved in the filling out of the questionnaires by the individual employes, the commission followed the plan of decentralizing the work almost completely, having it performed under the direction of the chief clerks of the several departments pursuant to standard instructions. So, too, the actual work of studying the organization of the several departments, developing standard classifications and classifying individual positions, is for the most part being done by officers and employes of the several departments and bureaus detailed to the commission for the purpose.

From the beginning the commission has emphasized more strongly than has been usual in salary standardization work the representation of the employes themselves on the numerous committees that have been set up. A novel feature appears in the definite recognition by the commission of the Federal Employes' Union as officially competent to speak for the employes.

The efforts of the commission to date have been directed solely toward the development of a schedule of standard titles, work descriptions, and compensation rates. The commission has not yet announced what method it purposes to recommend to congress for putting this standard schedule into effect, nor for reclassifying and readjusting the salaries of individual positions. This last is, of course, one of the most difficult elements in any standardization program. Similarly it has not yet been made public what method the commission will recommend to congress for the maintenance of current control over changes in titles, duties, and compensation, and the conformance of such changes to the standard schedule.

As already stated the work of the commission applies only to employes in the District of Columbia, and it is here doubtless that the need for reclassification has been most acute. The work could usefully be extended, however, to cover the hundreds of thousands of employes in the field services. For the postal service this is already being done, the last congress having provided also for a commission on the reclassification of salaries in the postal service (act of February 28, 1919, 40 Stat., 1200). This commission has but recently been organized.

LEWIS MAYERS.[1]

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Civic Progress in East St. Louis.—As the result of strenuous campaigning for more than two years for progressive, business, civic administration, East St. Louis is now engaged in adjusting the commission form of government to its conditions. The governing body is made up of the mayor and four commissioners. Though there has been friction between the mayor on the one hand and the four commissioners on the other, since the installation of the new system on May 1, the commission is taking steps to effect permanent solution of the big municipal problems, principal among which is that of financing. Those who have looked into civic affairs are positive that East St. Louis will have to increase both its bonded debt and revenue. As the first move the commission has set out to revise scientifically the ordinary license taxes, and from this source considerable income will be derived. But the large increase must come from taxation of realty and personalty.

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[1] Institute for Government Research, Washington, D. C.

The commission is also taking up with determination the recommendations of the chamber of commerce for the improvement of four major streets with smooth pavements, and one heavy-traffic street. These streets will connect with the new federal-state-county highways which are being constructed, and also with the Eads and municipal bridges which cross the Mississippi to St. Louis. The new city administration is unpartisan and competent, and obviously aims to make a reputation in managing the municipality on business lines. The citizenship, for its part, is alert and aggressive, and will insist on business administration. Contrary to widely prevailing opinion, there exists a vigorous public spirit.

The first expression of public demand for betterment was the adoption, some ten years ago, of a district park and boulevard system and a district levee and sanitary district, both of which were great undertakings. The actual campaign for general reform and betterment began in the spring of 1917, when existing commercial and industrial organizations were merged to establish the chamber of commerce. The chamber of commerce set the movement in motion by getting 25,000 words of publicity, emphasizing to the people the benefits to be gained from having the most beautiful residential city and a well-governed city. A committee of one hundred, organized to handle civic problems, originated the idea for the commission form, and the rotary club volunteered to conduct the campaign for the commission form, as a result of which the new system was approved by the citizens by a vote of two to one.

The chamber of commerce next inaugurated a campaign of education, contrasting misrule with good government and elevated high civic ideals. It agitated the popular conscience to an appreciation of the ill effects of government by bi-partisan politics. Thus, by steady and consistent work, the community sentiment for good government was built up.

In the summer of 1918 the war department raised a fund of $200,000 for civic betterment work from the corporations, and founded the war civics committee to handle civic problems in East St. Louis. The three-year work of this committee is now in progress. Its field is mainly civic and social service.

In the spring of 1919, when the commission form was to go into effect, and the new officers to be elected, a number of prominent citizens met and organized the new era committee, the object of this committee being to standardize the character of the nominees and to make the issue of good government direct and definite. Although only one nominee on the new era ticket was elected, the primary result of electing reliable officers was achieved.

A word about the riot and misgovernment conditions should be added. This was not the only city threatened with a race riot. There were two small cities and one large city which feared similar disaster, and there were many cities which were worried by troubles consequential to the tide of negroes from the South to the North to find employment in manufacturing cities.

There were two immediate causes of the riot in East St. Louis. One was the number of disturbances which agitated the public; the other was the state created previously by bi-partisan politics and weak government. So that, primarily and conclusively, the underlying trouble in East St. Louis was the same kind of bi-partisan politics which disgraced New York, Chicago, St. Louis, San Francisco, and hundreds of other cities, large and small. It should be borne in mind, as a phase worthy of consideration, that East St. Louis has been doubling its population every ten years. The achievement of reform and business administration could not, in all probability, be effected any sooner. It must be likewise apparent that the solution of the much-discussed problem in East St. Louis is very simple. The solution is wholly an expression of public spirit and the performance of good government, and East St. Louis has both.

J. N. Fining.

*

St. Louis Zoning Law under Fire.—The recently enacted zoning ordinance for St. Louis has been attacked from several quarters during the last few weeks, and the discussion ensuing has resulted in a number of amendments being adopted by the local board of aldermen. Objections to the law were principally voiced by the city building commissioner, who claimed that the law had prevented millions of dollars worth of new building in St. Louis. His contentions were supported by the contractors, the union building tradesmen, a number of architects, and the real estate exchange. The latter body went so far as to recommend the entire repeal of the ordinance. The city plan commission at first was opposed to any amendments, but finally compromised on the following four:

1. The board of public service was given power to approve plans "which may slightly violate the letter of the building regulations established by the zoning law, if they do not violate the spirit of the law."

2. Specifications were laid down requiring that apartment houses 30 feet or more in height should have 2½ inches of yard space at the rear, or at the side, for each foot of height, and that center courts should extend 3 inches for each foot of building height.

3. It was provided that in the down-town district 15 per cent of a lot's area must be left clear for light and air. This may be at the rear or in an inner court. In the industrial district 10 per cent of the area of corner lots must be used for light and air, and 20 per cent of other lots. In the commercial district 25 per cent of all lots must be so set apart.

4. Stage towers and scenery lofts of theatres are now classed with church spires or towers of other buildings, which are exempt from height regulations.

These amendments represent a "loosening-up" in the zoning scheme. All of them were adopted with the exception of the first, the Board of Aldermen placing the discretionary power of appeal, in the case of maximum heights of buildings in the commercial and industrial districts, in the hands of the building commissioner. The plan commission strongly advised that there be no further changes until the law had had a thorough try-out. From the attitude of those opposing the present regulations, it is safe to say that further efforts will be made to amend or nullify them. LOUIS F. BUDENZ.

◆

Mosquito Extermination Pays.—The jokes about New Jersey mosquitoes are rapidly becoming extinct, with the pests themselves. A large proportion of northern New Jersey mosquitoes breed in the marshes or so-called meadows along the Passaic and Hackensack rivers, which cover thousands of acres. The problem of preventing mosquito breeding here was a most difficult and formidable one, but the state tackled it in 1905 and has been at it ever since, with help from Essex county, while the cities and towns in the vicinity gave more or less assistance.

There are now comparatively few mosquitoes in New Jersey. The meadows themselves are habitable, and many industries have sprung up there. A considerable area of the mosquito-freed meadows are along Newark's water front. In 1905 this section paid $7,650 in taxes, according to the *Municipal Journal;* in 1918 it paid $238,513. An annual income increment of $230,000 is 5 per cent on $4,600,000. If we assume that only half the increase is due to the waging of war on mosquitoes and also allow $10,000 a year for maintenance of the drainage works, we still have 5 per cent on $2,100,000. The cost of the anti-mosquito work in this district has not been anything like two million dollars. Any section suffering from these malaria-carriers should take steps to protect the inhabitants by destroying mosquito breeding places. In many cases they may find this financially remunerative, as did Newark.

◆

City Manager Notes.—Ranger, Texas, has adopted the city manager plan, with M. A. Turner, of Ranger, as the first manager. Alcoa, Tennessee, population 3,000, and Gastonia, North Carolina, population 20,000, have also provided for city managers.

Tallahassee, Florida, expects soon to be among commission-manager cities, having approved and passed on to the state legislature for sanction a new charter which follows closely "model charter" lines.

A bill passed by the New Mexico legislature to amend the charter of Albuquerque, by reverting to a close approximation of the old aldermanic system, was defeated upon a referendum.

Recent changes in city managers include the selection of Charles O. Ephlin, formerly county commissioner, as acting manager of Wheeling, West Virginia, to succeed the late George O. Nagle. Bonner Hill succeeds M. J. McChesney at Charleston, West Virginia. M. E. Martin succeeds J. C. Caldwell at Ocala, Florida. W. H. Larson has been appointed manager at Electra, Texas; Martin S. Ruby at Lubbock, Texas; L. L. Ryan at McCracken, Kansas; and M. E. Mitchell at Lufkin, Texas.

◆

Temporary Financial Relief for Ohio Cities.[1]—At the recent session of the Ohio legislature a compromise financial measure was finally put through by the governor. This measure allows cities to issue bonds against certain deficiencies, if approved by the voters at the polls.

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[1] NATIONAL MUNICIPAL REVIEW, vol. viii, p. 389.

The legislature proposes to meet again after the November elections, at which time the classification amendment[2] will be voted up or down. In case the amendment is ratified the legislature will go forward immediately with a program for permanent financial relief. The finance committees of that body are to hold sessions intermittently from now until November.

C. A. Dykstra.

*

Municipal Regulations Governing Water Meters.—Report No. 404, issued by the state bureau of municipal information of the New York state conference of mayors and other city officials, is a summary of data gathered by the bureau concerning the regulations controlling the use of water meters in American cities. These regulations cover the ownership of meters; what deposit, if any, is required on meters; annual rental charges; and charges for installation, maintenance, repairs, and replacements. No adequate summary of this information can be presented here in the space available, but the full report is worthy of study by all interested in the subject.

*

Selling Municipal Bonds "Over the Counter."—The sale of municipal bonds directly to citizens is estimated to have amounted to approximately $50,000,000 in the last few years. This estimate includes sales by Milwaukee, Boston, Chicago, St. Paul, Philadelphia, St. Louis, Baltimore, Cincinnati, San Francisco, Minneapolis, and New York City. In denomination some of the bonds have been as small as $10, ranging from this figure to $1,000 or multiples thereof. The rate of interest has been pretty uniformly 4 per cent, in one instance dropping to 3.65, while with the exception of a series of demand bonds the term has varied from 20 to 30 years.

*

Milwaukee to Study Municipal Ownership.—A committee of able citizens representing all principal interests of the city has been appointed by direction of the common council of Milwaukee to investigate the feasibility of the purchase by the city of the public utilities owned by the electric company. A recently enacted state law provides for the municipal payment for street railways or other public utilities by bonds issued against the value of the plant, the interest and principal to be paid from a fund set aside from the gross earnings of the plant. Such bonds are not charged against the general borrowing capacity of a city.

*

Proportional Representation for Ireland.—The Irish "local government bill" was passed by the British Parliament and became law on June 3, the vote in the House of Commons on the third reading being 244 to 42. It applies the Hare system to the election of all local representative bodies in Ireland. As the members of representative bodies are the only officials elected in Ireland, this means of course that the Hare system is to be the only system used in Ireland for local elections.

II. POLITICS

Cincinnati Council of Education Does Effective Work.—The Cincinnati council of education, which for the past eight years has accomplished its main purpose of electing an efficient school board, is a delegated body composed of representatives from various civic organizations, such as the chamber of commerce, business men's club, federated improvement associations, woman's club, woman's city club, federated mothers' clubs, and council of Jewish women. The council of education has co-ordinated its work with the Republican party to good advantage; the Democratic party, however, has taken only a perfunctory interest in school affairs, due perhaps to the large Catholic constituency of that party and the fact that the Catholics have their own parochial schools. The weakness of the council has been that it does nothing between elections. The purpose was that it should follow and advise upon all educational matters and questions of policy coming before the school board; but it has not seemed practicable to maintain the necessary interest and secure the required funds for this part of the work.

This year, with three members of the school board to be elected, the council indorsed two of the retiring members whose records were satisfactory, and for the third candidate secured Dr. F. B. Dyer, formerly superintendent of schools in

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[2] NATIONAL MUNICIPAL REVIEW, vol. viii, p. 94.

Cincinnati and later of Boston. There is strong confidence that these candidates will be elected. The nomination of Dr. Dyer solved a difficult problem confronting the council, namely, an insistent demand among the women delegates that the third candidate be a woman. The Republican party refused to agree to this, and if the council had not yielded the Republicans would probably have nominated their own ticket, with every prospect of its election. But when Dr. Dyer consented to run, his eminent qualifications were so apparent that the women yielded their point, but only after the council had pledged itself to the principle of having a woman upon the school board. Consequently it would appear that after this election the plan followed in the last two elections, of obtaining the approval and support of the Republican party for the council's nominees, can continue only if the Republicans have a decided change of heart regarding women on the school board.

◆

Non-partisan Elections Abolished in Third-Class Cities of Pennsylvania.—The Pennsylvania legislature took a backward step at its last session by the passage of a law repealing the non-partisan election provisions for third-class cities, and substituting partisan elections. The law also makes the treasurers in cities of the third class elective by the people instead of by the council. This deplorable repeal, affecting more than thirty cities, tears down all the good work that has been done in the last five years, through elections conducted on local issues, to break the power of machine rule and special privilege in these cities.

The non-partisan election law for cities of the third class, together with the non-partisan judicial ballot law, was passed by the legislature elected during the Progressive upheaval in 1912. Ever since the enactment of the law machine politicians with party or selfish interests to serve have been plotting for its repeal; but until the present time their reactionary efforts have been foiled. Even in the early part of the legislative session just closed the repealer was defeated in the house, and only by the utmost organized pressure, augmented by help from the Philadelphia and Allegheny machines and from the liquor interests, was it finally reconsidered and forced through under the claim that it was favored by Governor Sproul. The Governor repudiated the use of his name and held the bill for the time without action. Fearing a veto, its sponsors had the bill recalled by the legislature, and in the closing hours of the session passed it a second time. In the light of these events the governor's approval of the repealer came as a bitter disappointment to many of his friends, despite his consistent adherence to the system of partisan government. R. R.

◆

Detroit City Employes Win Eight-Hour Day.—The city employes of Detroit objected to working from 8:30 until 5 o'clock, with half an hour for lunch, considering this a violation of the city charter provision calling for an eight-hour day. Upon petition the city council limited their working day to the period from 9 to 5 o'clock with an half hour for lunch included.

III. JUDICIAL DECISIONS

Buffalo Fares.—An interesting decision of the New York court of appeals is that the public service commission has authority to raise fares in Buffalo above five cents in spite of the Milburn agreement which has up to this time prevented any increase of fares in that city. The court said that the legislature had delegated power of adjusting rates, under the franchise, to the commission, when it passed the public utilities act of 1907. In so deciding the court stated that it was not denying but enforcing the terms of the franchise. It is believed that this decision does not overrule the Quinby case of 1918, because in the Buffalo franchise the legislature was given power to regulate fares. Judge Cardoza said, *inter alia:* "Municipality and railroad have joined in this declaration that the rate fixed by their agreement shall be not final but provisional. It is subject in case of need to re-examination and readjustment by the agents of the state. The need that was foreseen as possible has arisen. In upholding the jurisdiction of the commission to deal with it, we do not override the conditions of the franchise. We heed and enforce them."

◆

Sewage Disposal.—In the case of *Darling* v. *City of Newport News*[1] the supreme court of the United States held that the right given the city of Newport News by its charter and by statute to discharge its sewage into the ocean does not violate the contract rights of an oyster bed lessee, holding under a statute granting the absolute right of occupancy for fixed periods, since these provisions relate to the possession of the land and not to the quality of water over it.

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[1] 39 Sup. Ct. Rep. 371.

✤

Police Pension Fund.—The police pension fund act was held retro-active by the supreme court of Illinois in the case of *Beutel* v. *Foreman*[2] and to apply to all persons entitled to pensions under the act, including a retired policeman who had served twenty years, and who would have been entitled to a pension under the preceding law, but was now excluded by the present act because he was not fifty years old. An act will be given a retro-active effect when it is clearly the intention of the legislature to make it so.

✤

Transportation of Garbage.—In the case of *Wheeler* v. *City of Boston*[3] the supreme court of Massachusetts decided recently that a Boston ordinance providing that no person shall transport kitchen swill or garbage through the alleys or streets of the city, municipal collection and removal of the entire mass of garbage being necessary to preserve the public health, is a valid exercise of the police power by the city, justifying the refusal of permits to farmers to convey garbage and swill through the streets. This is coming to be a very important question, especially in cities operating their own reduction plant where it is essential that they should get all the garbage available, especially that of the hotels and other large food handling establishments.

✤

Civil Service.—In the case of *Stiles* v. *Morse*[4] the supreme court of Massachusetts held that where three of the five members of the City Council of Lowell, clothed with the power of removal under the civil service law, went through the form of adopting orders removing the city treasurer without notifying him of the proposed action and without giving him a copy of the reasons for the removal, such removal was improper and, whether the council members acted in an administrative or quasi judicial capacity, were individually liable to the treasurer for nominal damages at least.

Removal of Tracks.—The supreme court of the United States in the case of *Denver & Rio Grande Railroad Company* v. *City and County of Denver*[5] held that an ordinance requiring the removal of railroad tracks, put down by virtue of an ordinance, from the intersection of two of the principal streets, does not offend against the commerce clause of the constitution, since it makes no discrimination against interstate commerce and does not impede its movement in regular course, affecting it only incidentally and indirectly.

✤

Summer Camps.—In the case of *Keller* v. *The City of Los Angeles*,[6] the supreme court of California decided that the city in conducting summer camps under the charter provisions for maintaining the health of the children of the city was engaged in performing a governmental function though making a small charge to pay expenses, so that it was not liable for damages to a boy injured at the camp. This is in line with numerous other decisions on this same subject. It seems sometimes, however, as if this doctrine might be carried too far in some instances.

✤

Franchises.—The federal district court for the southern district of Iowa in the case of *Muscatine Lighting Co.* v. *The City of Muscatine*[7] held that the franchise contracts fixing rates to be charged for lighting cannot be revised by the courts because the rates have become non-compensatory, although the municipality reserved the right to revise the rates. The fact that lighting rates fixed by franchise contracts later became confiscatory because of unfavorable industrial conditions does not deprive the utility of its property without due process or deny it the equal protection of the laws.

In the case of *Virginia Western Power Co.* v. *Commonwealth*[8] the supreme court of appeals of Virginia held that where the municipality of Clifton Forge, at the time of granting the franchise, was vested with unlimited power to contract as to rates charged for service that the rates fixed in the franchise contract are irrevocable under that section of the Federal Constitution forbidding the impairment of the obligation of a contract by state law.

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[2] 123 N. E. 270.

[3] 123 N. E. 684.

[4] 123 N. E. 615.

[5] 39 Sup. Ct. Rep. 450.

[6] 179 Pac. 505.

[7] 256 Fed. 929.

[8] 99 S. E. 723.

In *Black* v. *New Orleans Railway and Light Co.*[9] the supreme court of Louisiana decided that contracts between a city and a street railway company, permitting temporary increase of fares as a war measure for a limited time, were made for the public good, so that tax payers, not alleging any vested right or interest in the contract, and not alleging that the ordinance was unreasonable or in bad faith, or that their taxes would thereby be increased, and not referring to any law forbidding the city to modify the contract, had no interest to sue to enjoin the collection of increased fares.

In *San Antonio Public Service Co.* v. *The City of San Antonio*[10] the Federal district court held that under the Texas constitution, a city having power under its charter, "exclusively to regulate everything connected with street railroads," is without authority to make an irrevocable contract fixing the rate of fares in an ordinance granting the franchise to a street railway and that such a provision is regulatory, subject to change by the city to protect the public from excessive charges for service and to the constitutional rights of the company to earn a fair return on its investment. In this case the company was trying to get away from the franchise rate of five cents and was asking equitable relief from the crushing effect of two ordinances, one of which prevented the company from increasing its fares without the city's consent and the other which limited the fare to five cents.

Robert E. Tracy.

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[9] 82 Sou. 81.

[10] 257 Fed. 467.

IV. MISCELLANEOUS

A Municipal League 750 Years Old.—A league of municipalities whose beginning runs back to the middle of the twelfth century is the record disclosed in the book of the 1919 convention of the royal burghs of Scotland, an imposing volume of over 150 pages.

The most interesting section of the book contains a historical sketch of the organization, in which we find that the convention is supposed to have been organized by King David I of Scotland. 1124–1154. At that time commissioners of four of the principal towns of Scotland established the custom of meeting periodically as an ultimate court of appeal respecting matters that concerned the internal interests of the royal burghs. This body was known as the "Court of the Four Burghs," and its decrees were declared to be equally final and conclusive, in all affairs subject to its jurisdiction, as those of the Scottish parliament, of which it was finally made a part. Its separate jurisdiction was still recognized, however; questions of dispute were referred to it, and its decisions accepted. Even after it was enlarged by the admission of additional burghs it was called, in a charter granted to it by James II, in 1454, the "Parliament of the Four Burghs," and it was ordained "to do and exercise all and singular which in any way, in the court of parliament, according to the laws, statutes, and customs of burghs, are treated upon, considered, and finally determined." In 1487 a yearly meeting was established for commissioners from all the burghs of Scotland. Subsequently, in 1581, the commissioners were authorized to convene "in quhat Burgh they thoucht maist expedient, with full commission, to treat upon the weilfair of merchandis and merchandice, gude rewle and Statutes for the common profit of Burrowes." By the treaty of union the "rights and privileges of the royal burghs of Scotland as they are now, do remain entire," and the convention of the royal burghs of Scotland is unique as the last remnant of the old parliament of Scotland. It is an important deliberative and consultative assembly, actively promoting useful and practical legislative measures, and is thoroughly representative of burghal interests.

The scope and activity of this interesting and powerful body is illustrated by the present year book. It contains the records of about fifty meetings held during the year by various committees, in addition to the minutes of the convention held in 1918, the program for the 1919 convention, and various data and appendices.

◆

A League of Mayors to Meet Annually at Washington.—A significant feature of the conference of state and municipal executives, held at the White House in March, was the general conclusion, drawn from the speeches of governors and mayors, that the municipal executives had a closer understanding of the common needs than had the state executives. Consequently there is promise in the prospect of a permanent league of mayors to hold an annual conference in Washington. The following committee on organization was elected to report at the next conference, which is to be called by Secretary of Labor Wilson early in 1920: Mayor George L. Baker, Portland, Oregon; Mayor F. W. Donnelly, Trenton, New Jersey; Mayor W. Montague Ferry, Salt Lake City, Utah; Mayor Daniel W. Hoan, Milwaukee, Wisconsin; R. J. Wheeler, Allentown, Pennsylvania; Roger W. Babson, secretary.

*

Cincinnati Has a Girls' City Club.—This innovation was the result of a desire on the part of a group of young women students of the University of Cincinnati to prepare themselves for taking part in the life of the city. Accordingly they asked the aid of the woman's city club, with the idea that later they would be ready for membership in that body, and that meanwhile they might have some group affiliation with it. Their request was granted and they were accorded certain club privileges. The program for preparation is now being worked out, and its result will be watched with great interest.

*

A New Phase of the Research Movement.—A new phase of the bureau movement was initiated at the meetings of the governmental research conference in Chicago on June 23 and 24. The conference is a very loose organization of local bureaus, undertaking little more than to hold annual or semi-annual meetings for the purpose of discussion and to disseminate monthly information as to their current activities. The proposal of a more effective national organization was enthusiastically endorsed and the first steps were taken for its establishment.

This organization is not, however, to be a mere association of local bureaus. It is to have a separate and independent existence. Its purposes will be to stimulate more effective government wherever the need, to give national backing to the local bureaus, and to aid in the launching of bureaus in every field of government, national, state, county, city or others. By making more mobile the expert and technical experience available, it will cut the costs of local operation. It will give a solidity to the bureau movement that will be reassuring to the workers in this field.

This organization will also formulate a nation-wide bureau policy, which was not feasible so long as the bureaus were wholly detached. Divergent as are the needs and opportunities in different places, the discussions in Chicago demonstrated that the elements of such a national program have already been developed. The organization will stand for the promotion of a system of government built upon principles proved by experience, such as a simple, responsible, administrative organization, financial planning and control, informative accounting, systematic purchasing, and standardization so far as practicable of salaries, grades and methods. The organization will stand, in short, for a scheme of scientific management as applied to government.

A committee was chosen to develop these plans. It consists of Charles A. Beard, Chairman, New York; Frederick P. Gruenberg, Philadelphia; F. L. Olson, Minneapolis, and Lent D. Upson, Detroit.

Robert T. Crane.

*

Bureau of Municipal Research of the University of Texas Changes Its Name.—The name of the bureau of municipal research of the University of Texas has been changed to the bureau of government research. This change in name will not affect the work which the bureau has been doing for the cities of the state. Municipal research service will be continued and the bureau will remain the secretariat of the league of Texas municipalities. State and county government, on account of their close relationship to municipal government, will be added to the field of investigation, an extension which should make it possible for the bureau to render even better service to the cities than before. The publications of the bureau will be continued under the name of the "Government Research Series."

*

Municipal Orchestra for Birmingham (England).—Prominent citizens associated with musical circles in Birmingham, England, are desirous of establishing a city orchestra, or in the absence of such an orchestra, to encourage and absorb local musical talent. The total annual cost of an orchestra is estimated at $42,500, and the revenue from the concerts and engagements of the orchestra at $30,000. One half of the deficiency of $12,500 is to be guaranteed by private subscribers for a period of five years.

The orchestra when established will comprise seventy instrumentalists who will provide Saturday and Sunday and symphony concerts, light music for dancing, and also give the parks committee an opportunity of extending its useful work of providing music in the parks. Concerts will also be provided for school children.

The parks committee has been authorized to contribute for a period not exceeding five years one half of any deficit that may occur.

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The Assessment of Real Estate

BY

LAWSON PURDY

For many years President of the Commissioners of Taxes
and Assessments of the City of New York

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FOREWORD

The committee on sources of municipal revenue of the National Municipal League believes Mr. Purdy's article to be of interest and value, not merely to tax officials but also to taxpayers and students of government and finance generally. In it Mr. Purdy, for many years president of the commissioners of taxes and assessments of the city of New York, states briefly and simply the type of organization and the principles of administration which, in his opinion, are best adapted to the task of assessing real estate in American municipalities. The document is not intended to be a complete manual of technical procedure in this field, but nevertheless, in it the technician will find a general guide and a number of references to sources where details may be found. It is rather a non-technical statement of Mr. Purdy's general conclusions arrived at after a long period of experience as a practical tax administrator. The committee hopes that, coming as it does from the pen of the acknowledged authority in this field, it will serve to crystallize public sentiment in favor of better assessment methods, without which our municipalities will scarcely be able to meet the financial problems of the years which lie immediately ahead.

It may seem to some that the technical problems of assessing real estate are only remotely connected with the problems of the sources of revenue. Almost everyone prefers a "new" source of revenue when a period of financial difficulty arrives. The committee, however, feels that in view of the huge development and the wide scope of the present federal taxes, it behooves the municipalities, first of all, to develop to a point of highest efficiency the sources of revenue that are recognized as peculiarly their own, the chief of which is the real estate tax. Improved administration of this tax will result in the elimination of inequalities, the lessening of dissatisfaction, and an increase of revenue greatly in excess of the additional expense involved.

This constitutes the first of a series of supplements dealing with the various aspects of the municipal revenue problem which the committee plans to publish from time to time.

Robert M. Haig,
Chairman, Committee on Sources of Revenue.

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THE ASSESSMENT OF REAL ESTATE

BY LAWSON PURDY

INTRODUCTION

Under the constitutions and statutes of all the states, real estate is taxed on its capital value and provisions are made for assessment. In some states the county is the assessing unit and in others, the town or city. In many cases assessors are elected; in others appointed.

There are examples of very excellent real estate assessments where the form of administration is most undesirable; there are examples of wretched assessment where the form of administration is excellent. No city should be discouraged because it cannot at once obtain a good form of administration. If it has the will it can achieve a good assessment in spite of poor administrative forms.

The rule is practically universal that real estate shall be assessed at its market value. This idea is phrased in various ways in different statutes. One of the best phrases, perhaps, was formerly contained in the tax law of New York to the effect that real estate shall be assessed at "the sum for which it would be appraised in payment of a just debt of a solvent debtor." It is commonly provided that real estate shall be assessed at "its full value" or "fair cash value." The judges have sometimes said that all these phrases mean the same thing and in common language signify "market value." Sometimes it may truly be said that certain real estate has no market value in the sense that there are no buyers ready and willing to pay any reasonable sum for it. In such cases it is proper to fall back upon the other phrases of the law such as "full value" and the sum for which the real estate would be appraised in payment for a debt.

The end and aim of real estate assessment is to secure such a valuation of every parcel that the tax imposed upon it shall bear a proper relation in proportion to its value to the tax imposed on every other parcel within the tax district. To achieve these ends an efficient administration is important, the employment of skilled assessors, and the use by the assessors of those methods and tools of their profession which experience has shown of value. The assessment should be made annually and the assessors should be busy every day in the year except for three weeks' vacation.

THE BEST FORM OF ADMINISTRATION

I shall endeavor to describe what is generally regarded as the best form of administration regardless of the fact that in many cities to obtain that form of administration there must be changes in state law and in some cases constitutional changes.

In every city the assessing department should have as its executive head a single person. It is highly desirable that he should be intelligent and experienced, but it is vital that he should be within the control of the voters. Therefore he should be appointed by the executive head of the city. Associated with the executive head of the assessing department should be two or more to compose a board of review. The number of such a board depends upon the size of the city. In the largest cities such a board need not exceed five and should, ordinarily, not exceed three. In a small city the two associates of the executive may be elected officials who hold this office ex-officio because of another office or they may be appointed for this duty exclusively and paid a correspondingly small salary.

It is very important that the board of review should include the executive head for otherwise they may disturb a whole assessment roll and make it chaos. The work of review should be bound up with the orderly direction of assessment.

In small cities the duties of the executive head of the assessing department may be light. He may, therefore, be paid a small salary and allowed to engage in other business. In a large city he should not engage in any other business; the salary should be sufficient to enlist the services of a competent man who will devote his entire time to the service of the city. In a small city the head of the assessing department may also do the actual work of assessing, with perhaps some clerical help. In larger cities, of course, his duties will be supervisory and the department will employ assessors.

Assessors should be appointed after a thorough civil service examination designed to test their ability to appraise real estate. The questions asked in such an examination should involve the actual problems presented to the assessor. The examination should be so difficult that no man without technical knowledge of assessing real estate should be able to pass it. Such an examination should, therefore, exclude a large percentage of the unfit. That is about all that any civil service examination can do. Dissatisfaction with civil service regulations is apt to be due to the expectation that they can automatically select the most fit. That is expecting too much of any human device. The merit system of the civil service is, however, exceedingly important in obtaining suitable assessors. When appointed they should hold office so long as they perform their work properly. They should be removable only for cause. Their position should be such that they should be able to look forward with confidence to a gradually increasing salary which should be sufficient to offer them a satisfactory, permanent career.

The standards of living and wages vary so much throughout the United States that it is impossible to name salaries that would be applicable in all places.

In small cities the city engineer's department may prepare the maps for the assessing department. In a city of large size the assessing department should have its own surveyor. Whoever serves as surveyor for the assessing department should obtain the place as the result of examination and should be removable only for cause. All clerks and other employees of the department should likewise be appointed as the result of examination and should be removable only for cause.

The number of assessors is quite often too small. The number must vary according to the number of parcels of real estate and also in accordance with the average value of each parcel and the area to be assessed. Parcels of real estate having a very high value are generally more difficult to assess than parcels of lower value, and the district should be small. Where the area of the parcels is large the district assigned to the assessor may be larger in area and the number of parcels smaller. The following table may be helpful in determining how many assessors should be employed. It shows the number of assessors in the city of New York in 1914, the number of parcels assessed by each, the average value per parcel, and the average area of each assessor's district.

Borough	Number of districts	Average number of parcels	Average value per parcel	Average area of each district in square miles
Manhattan	16	5,881	$50,228	1.38
The Bronx	12	5,496	8,850	3.42
Brooklyn	23	9,271	7,336	3.39
Queens	18	7,451	3,310	6.52
Richmond	6	5,671	2,247	9.53
Total	75	7,221	13,683	4.20

TAX MAPS

It is strange but true that a great many cities in the United States do not have maps to show the various parcels of real estate within the city. To make a fair assessment without a map is either impossible or the work of a superlative genius. It is important that the tax maps should be accurate and show the dimensions of every separately assessed parcel of real estate. A good many cities have no such map of their own and use an insurance atlas which may be quite adequate for the purpose. A city ought to have maps of its own. If it has none, it should start the work of producing first-class maps. If it cannot produce those maps for the next assessment, let tentative maps be prepared which are as good as can be made within the time limit. Let a first-class map be started. In the thickly settled part of a city where parcels are small, the scale of the tax map should be 50 feet to the inch. In the rural section the scale may be reduced to 200 feet to the inch or even more.

For country towns very successful tax maps have been made from the

United States topographical survey at a very trifling expense to the town.[1]

Since 1890 there has been a system in New York of recording and indexing instruments affecting land by reference to a land map which divides the city into blocks having permanent boundaries. These blocks are ordinarily about 200 feet by 800 feet in area. They are bounded by streets, waterways, or other boundaries deemed to be permanent. No changes are ever made in the boundaries of these map blocks unless changes are made in the physical boundaries. The block system of indexing conveyances is much superior to the ordinary system of indexing alphabetically for a large area. The block system, creating as it does small areas, greatly facilitates searches.[2]

This plan of making the tax map blocks identical with the blocks on the land map has proved of great value and these sections of the New York charter may assist those in other cities who desire to establish a similar system.

A city may also be divided into sections of convenient size, each of them having an area of two to three square miles. The sections should never change after once being established and should be numbered consecutively from one up. The division into sections facilitates statistical comparison. The blocks should be numbered from one up consecutively for the whole city. The blocks of permanent maps should never change. In suburban sections tentative maps may be made in the first instance which may be replaced later by permanent maps and upon the permanent maps the block numbers should never change.

The blocks should be subdivided into lots in accordance with ownership. If the whole block is owned by one person, the lot may be the same in area as the block. The common practice of dividing land into lots in accordance with a development map and prior to the sale should be avoided. No subdivision on the tax map should be made until there is a change of ownership. In the long run, this is an advantage to owners. It saves maps; it saves labor of assessors and clerks; it simplifies the assessment roll. As lots are sold, the block should be divided in accordance with such sales. Lot No. 1 should be at the lower left hand corner of the block and the numbering may proceed around the block as the hands move around a clock. Care should be taken to fix the numbers of lots as a block is subdivided so that as nearly as may be, when the block is wholly subdivided, the lots shall be in numerical order. If the lots are numbered consecutively and thereafter one of the lots is divided, the part of the lot on the side of the lower lot retains the old number and the new lot is designated by the same number with a fraction or with the addition of a letter. When two lots are consolidated, the higher number is dropped. As changes occur in lot divisions, the tax maps are altered by the use of different colored ink and the addition of the year for which the alteration is made. If two lots are consolidated, the dividing line is crossed out by small crosses. A dotted line is drawn in the street in front of the lots in a semi-circle to indicate the consolidation and at the center of that dotted line is inserted the year date. If a new lot is carved out of an old one, the new division line is made with a different colored ink and opposite the line the year date is inserted.

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[1] See paper by Edward L. Heydecker in Proceedings of N. Y. State Tax Conference, Jan., 1912. Proceedings may be obtained from N. Y. State Tax Department, Albany, N. Y. See Tax Map Act of 1913, state of New Jersey.

[2] See Chapter 24, Charter of the City of New York. The surveyor of the tax department makes the land map for indexing conveyances in the area of the old city.

Sections 891–a and 891–b of New York charter provide for tax maps. The blocks shown on tax maps are identical with blocks on land maps. A copy of the charter may be purchased from the *Brooklyn Eagle*, Brooklyn, N. Y., for 50 cents.

The tentative land maps usually have very much larger divisions than the permanent tax maps to avoid the use of arbitrary lines and the splitting of parcels held in one ownership. A territory of considerable area may be designated as a plat, and when that territory is divided the lots are carved out of it and designated by numbers in the same manner as lots are designated within blocks of the size shown on the permanent tax maps. When a territory becomes settled and the permanent street layout is determined, the permanent tax maps are extended over the territory formerly covered by the tentative tax maps, the largest plat is cut into blocks, and those blocks again into lots. When such a change is made cross indices are prepared, so that the lots shown on the tentative maps may be readily identified with the lots shown on the permanent tax maps.

An assessing department should have two sets of maps: one set which is preserved in the office and another set for the use of assessors to carry with them in the field. A field map may for convenience be bound in volumes half the size of the office maps. In the front of the map volumes should be placed a key map made to a scale of from 300 to 700 feet to the inch or for rural territory a still smaller scale showing all the territory comprised within that map volume. The length of all boundary lines should be shown on the maps in feet and inches and on valuable lots of irregular shape the area should be shown in square feet. On large parcels the area should be shown in lots or acres.

The tax maps should be the basis of the assessment of real estate and it is necessary that if they are used as the basis they shall be accurate. The law should prescribe that the assessment should be made against the land itself and not against the owner. The validity of the assessment of real estate should not be affected by any error in the name of the owner. In the assessment roll lots should be described by section, block, and lot number in accordance with the tax maps, and the law should prescribe that "such numbers shall import into the assessment roll of real estate any necessary identifying description shown by the tax maps."

FIELD BOOK

Assessors will find that the use of a field book which is not the official assessment roll, but is intended solely for office and personal use, will be a great aid in the performance of their duty. If the block system of description is used, the field book will naturally be arranged with blocks in numerical order. If the block system is not in use, the arrangement should still be in similar form so that blocks will succeed each other in an orderly geographical relation and the blocks will then be described in accordance with local custom. The field book may well be arranged with substantially the following columns: in the first column the name of the owner or occupant; in the next and succeeding columns the following information—size of lot, size of house, building factor, stories high, number of houses on lot, house number, lot number, land value, total value, and about five additional columns so that the total value may be carried for a period of about six years. There may be two land value columns to carry the land for the preceding and current year. If entries are made in pencil, obsolete entries in the land value column may be rubbed out so that always the last valuation and the current valuation may be entered. On the remainder of the page the space may be used for information concerning conveyances, mortgages, rentals, and other facts bearing upon the value of the property.

DETERMINATION OF VALUE

The best evidence of the value of real estate is furnished by a number of sales made under ordinary conditions. The law of every state should require that the true consideration for every conveyance should be inserted in the deed. Unfortunately, this is not done at present and the actual facts concerning transfers of real estate have to be obtained from the parties to the transaction. It is essential that assessors should be well acquainted with real estate brokers and obtain not only the actual consideration for a transfer but the circumstances attending it.

As supplementing the evidence furnished by sales, actual rentals afford the best evidence and often the evidence of rentals is superior to the evidence furnished by sales. In using rentals as evidence, it is essential to determine whether or not the building is suited to the site. If the building is new, suited to the site, adequately rented, and properly managed, the total value of the property may be computed by capitalizing the net rent at such rate of return as is customary for such property in that city. When the aggregate value of land and building is known, the reproduction cost of such a new building may be deducted from the total and the balance should be the value of the land. An improved parcel of real estate, whatever the character of the building, is never worth more than the net rent usually obtainable, capitalized at the customary rate, unless the land itself, if it had no building on it, could be sold for a higher price than the capitalized net rent of the parcel with the building on it.

To arrive at the value of a depreciated building when the value of the land is known, the value of the land may be deducted from the capitalized value of the net rent. The remainder will be the sum added to the total value by the presence of the building in its present condition.

Assessors should always bear in mind the fact that particular sales are evidence, but never conclusive evidence. The fact that some particular parcel sold for a certain sum of money is evidence of the value of that parcel and evidence of the value of neighboring parcels. It may be very good evidence or it may be substantially worthless. It is necessary to know the attending circumstances of every sale before the value of the sale as evidence can be determined. If a buyer is accumulating several parcels to obtain a plot of a size adequate to some proposed improvement, he is likely to be obliged to pay a very high price for the last parcel. That sale taken alone is evidence of the great need of the buyer and the ability of the seller to demand a high price. It by no means follows that the adjoining parcel is worth such a sum. It is evidence that what is known as plottage in that particular section adds a good deal of value to small parcels. Again, it may be that the owner of a certain piece of real estate is in great need of money and is forced to sell under unfavorable circumstances at short notice. He may accept a price, because of his necessities, that is much less than the full value of the property.

Assessors are often puzzled by the problems presented by lot developments or subdivisions, as they are sometimes called. A lot developer, when able to market the lots quickly, must ordinarily get about three times his purchase price in order to recover his money, get fair wages for his labor, and some interest on his capital. If the sale is slow, he must get more than this in order to come out even. Sometimes assessors increase the assessed value of land that is merely marked out into lots by a series of stakes over the value of adjoining land not so marked for subdivision. If other conditions are the same, this is a great mistake. The mere marking out of a field adds nothing to its value. It is highly desirable that acreage property should be assessed just as much as land intended for subdivision. When the developer has, at his own expense, laid out streets and graded, paved, and sewered them, the lots are certainly worth more than before, provided there is any demand for the lots; but the addition to their value is generally no more than the cost of these physical improvements. The developer may now advertise his lots for sale and issue a price list. It will generally be true that the market value of the lots does not exceed 50 per cent of that price list. The buyer of a lot could not re-sell it for half the price paid under the ordinary circumstances attending such developments. As the sale proceeds and houses are built, the time comes when the list price and market value approach equality. Assessments should be increased under these circumstances in accordance with the facts.

LAND VALUE MAPS

It will be found in practice that to create land value maps is not only a very great help but almost an absolute essential to the orderly assessment of real estate. Land value maps must not be confused with tax maps. Land value maps do not show separate parcels of real estate, but only the boundaries of blocks. In preparing such a map, the space of the street should if necessary be distorted so that that space shall afford room enough to write figures intended to denote the value of the land. In small cities and country districts it will be found quite possible to make a wall map that will show the whole city or town on one map or sometimes two or three maps. These maps should be open to public inspection at all reasonable times. In larger cities the maps may be reproduced in book form for convenience of distribution.

The land value map is designed to show the value of the land per front foot on every side of every square in the built-up portion of the city and, on acreage tracts, the value per acre. As these front foot values are called unit values, it is obvious that they must always refer to the same thing. It is generally expedient to use a depth of 100 feet as the unit. Most of the rules for valuing short and deep lots are based on the 100 ft. unit. If, however, lots in the city in question are generally 125 ft. or 150 ft. deep, it may be better to use that depth as the standard unit. In any event there must be a standard unit from which there is no departure. This land value unit relates only to lots unaffected by corner influence.[3] It relates only to lots assumed to be lying normally with reference to the grade of the street. Under these circumstances, the unit of value means the same thing everywhere. It is strictly a site value.

Unit values are determined from all the evidence available consisting of sales, rentals, appraisals for mortgages, asking prices, bid prices, and any other evidence the assessor can accumulate. The necessity for fixing a unit tends to impose a check upon the use of the evidence of value. It is obvious that the value of the land on every street has a relation to the value of the land on every other street. When the units are set down on a map it generally appears that some evidence has been misinterpreted and the units have to be corrected in the light afforded by the comparison of values on different streets.

Having determined the value per front foot for a lot of normal size 100 feet deep, all normal lots will have the same value so far as that unit extends. If a lot, however, is below grade, the actual valuation of that lot will be reduced below the sum produced by multiplying the number of its front feet by the unit of value. Ordinarily that reduction would be equal to the cost of filling the lot to cellar grade. The same principle would be applied if the lot were above grade. It is depreciated in value by the cost of reducing it to grade level. Sometimes it may have a mountain of rock upon it and the cost of removing the rock would exceed the value of the lot at grade. In this case the lot will have some small selling value based probably upon the theory that some day someone may take the rock away for nothing because he wants it. On the other hand, it occasionally happens that a deep hole is worth more than the lot at grade because the owners of neighboring hills will pay for the privilege of dumping their hills into the holes. The assessor must use common sense and the knowledge of the existing circumstances and do it every day.

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[3] See page 525 for corner lot rules.

In appraising corners, the real test is the earning power of the land. Where two retail business streets of equal value intersect, the corner lot of normal size, say 25 feet, is usually worth more than twice as much as an inside lot; sometimes more than three times as much as an inside lot. The earning power of the corner is the only safe guide in determining how much the value of the corner exceeds the inside lot. If the appropriate sized plot for development at the corner is as much as 100 feet, the corner influence will extend 100 feet. If on the other hand, a person owning 100 feet would erect four separate buildings and produce the best results it is clear that the corner influence affects the corner lot exclusively.

In most growing cities, while large tracts of land are being cut into small lots in the suburbs, the contrary process goes on near the center; small lots are being combined to provide appropriate sites for large buildings. This latter condition gives rise to an increment of value known as plottage. Four lots, separately, may be worth $40,000. Those four lots adjoining each other in one ownership may be worth $50,000. Ordinarily, plottage ranges from about 5 per cent to 25 per cent. Whether there is any plottage value and how much it is, must be determined by the evidence under the circumstances of time and place.

There are numerous rules for determining the value of lots of greater or less depth than the standard depth. These rules are so nearly alike that the results are nearly the same unless the value is very high indeed. The Hoffman-Neill Rule, in use in New York, gives a value of 67 per cent to the first 50 feet of a lot 100 feet deep. (See page 525.) Other rules give a little over 70 per cent for the first 50 feet. Very useful tables for determining the value of short lots and deep lots are published in a pamphlet printed by the Ohio state board of commerce and written by Mr. A. C. Pleydell, secretary of the New York tax reform association. A convenient rule for determining the value of lots more than 100 feet deep is to add 9 per cent for the first 25 feet, 8 per cent for the next 25 feet, 7 per cent for the third, and 6 per cent for the fourth.

APPRAISAL OF BUILDINGS AND OTHER IMPROVEMENTS

The assessors should utilize to the full the help of engineers, architects, and builders, but they must do that with a complete realization of the fact that their problem is a different problem from that of builders. If they do not fully realize this, they will be misled into valuing buildings on the basis of the cost of reconstruction regardless of whether the buildings are suited to the site or not. The full value of any building is the sum which the presence of the building adds to the value of the land. A building may be erected on quicksand. Its cost may be doubled. It is not worth one dollar more than if it had been built on good ground and cost half so much money. Occasionally one finds a new building that is so badly planned that the cheapest course to pursue is to tear it down and begin over again. Such a building is worth its junk value and no more. In every growing city there are handsome, costly, single-family residences that cumber the ground because no longer suited to the site. Let the assessor ask himself for what will this property sell; for what purpose will it be sold; if sold for the price he deems it to be worth, will the building be retained or will it be torn down.

In the discussion of determination of value a principle was laid down which it may be worth while to restate. When a building adds anything to the value of the land and is rented, the fair rental capitalized will give the total value of the property; if the value of the land is known, deduct the value of the land and the balance will be the value of the building.

It may be assumed that new buildings of the ordinary types are worth the cost of reproduction. It will be found usually that the number of types of building is not large. The assistance of builders and architects will be valuable in determining the cost of reproduction of these buildings. It is well to classify them carefully, and have photographs made of various types of buildings of which the exact cost is known. They will be valuable for reference. Architects usually compute the value or the cost of buildings by using the cubic foot as the unit. This practice should be followed in the case of exceptional buildings, but for ordinary types assessors will find it more convenient to use the square foot of floor surface as the unit. It is not always practicable to ascertain the height of buildings, while the area covered by the building must be ascertained and it is easy to count the number of floors and determine the square feet of floor surface. Generally, it will be found most convenient to disregard both interior and outer courts and take the gross area over all. Having ascertained the cost of several buildings of such a type, the cost can be reduced to the cost per square foot of floor surface. It is then a simple process to find the reproduction value of other buildings of like kind.

The square foot value of a building is termed the "factor of value." It is desirable to have a column in the field book showing the factor of value of each building. This makes it easy to compare the assessed value of one building with that of another when the size of the two buildings is different. Occasionally, a building is encountered which has higher ceilings than another. In this case, an appropriate allowance must be made by increasing the factor, provided the increased height of ceiling does, in fact, give greater earning power to the building having the higher ceilings. If it has no greater earning power by reason of its extra cost, it is not worth any more than the building that cost less.

To illustrate the method of using the factor, we may consider a building planned for offices, ten stories high, covering a site 100 feet by 100 feet; each floor would have 10,000 square feet; ten stories would give 100,000 square feet. The cost of such a building might be $6 per square foot in normal times; that would give a reproduction value of $600,000. A wooden cottage of the usual two story and attic variety would be regarded as two and one-half stories. If it were 25 feet by 30 feet in area on the ground, it would have 750 square feet per floor; two and one-half stories would be 1,875 feet and such a building in normal times of simple style might be erected for $2 a foot or a little less. At $2, the cost of the building would be $3,750.

There are many cities now using this system of factors of value. Among them are New York, Newark, Buffalo, Cambridge. Inquiry of these cities would probably bring some of the factors used in those cities for different types of buildings. This problem, however, is essentially a local problem and the particular factors which are appropriate in any city should be worked out for that city with the help of builders, architects, and engineers.

The same principles which have been applied to ordinary buildings apply to improvements of various unusual kinds. Unit costs must be determined and factors of value used. Where local assessors are required to assess the property of public service corporations, the courts ordinarily permit an assessment equal to cost of reproduction less depreciation. The question of selling value or market value must of necessity be eliminated if we must value a gas tank which has no value apart from the system of which it forms a necessary part. The same is true of an electric light power station or the rails and wires of a trolley line.

In nearly every city there are some buildings that are useful and in use but which because of very special character have little or no market value. In such cases the courts of New York have upheld an assessment based on cost of reproduction less depreciation.

CARD INDEX

To supplement the field book a card index will be found of inestimable value. It need not be constructed all at once. It can be built up from time to time until there is a separate card for every separately assessed parcel. Every lot of irregular shape or unusual depth or located on a corner demands a separate calculation of land value. When that calculation is made it should be preserved. The card should show the land value unit, a diagram of such a lot, and the actual calculation of the assessed value of the parcel. The card should exhibit simply the classification of the building, its ground area, the total square feet of floor area, the factor of value, and the total assessment. Where practicable, the card should show the date of construction and original cost. The card should further show all the sales and mortgages affecting the particular parcel.

As such a record as this grows, its value to the assessors cannot be overestimated.

RELATION OF ASSESSORS TO THE PUBLIC

If assessors are intelligent and industrious they have nothing to fear and everything to gain by the utmost publicity as to both methods and details. Owners of real property are apt to be timid and are easily irritated. They are prone to assume that assessors merely guess at values and are guilty of intentional favoritism. The only way to correct these misapprehensions, if they are untrue, is by publicity. It is desirable to get local papers to print descriptions of the methods of assessment employed and, whenever possible, to reproduce the land value maps. Great good may be accomplished by addresses by the assessors to taxpayers' associations and chambers of commerce. It is easy to get opportunities for such addresses especially if the assessors will get right down to the details of their work. Glittering generalities count for little; but if assessors will describe precisely the methods employed, with examples of how they are employed, and suggestions to the public for assistance, the public will meet them more than half way.

Every taxpayer who comes to the assessor's office to make inquiry should be given the information he seeks, and the opportunity should be utilized so far as practicable to explain the system.

The following plan has been tried with much success: When the taxpayer comes to complain, as many will come, he will meet the executive officer. Let that officer say to him, "Describe your property and I will make an estimate of its value before you tell me what the assessment is." The owner should be shown the land value map, a calculation should be made of the value of the land based on the unit of land value. The owner should describe his building and the officer should compute the value of that building based on the factor of value which would be applied to such a building at that location. If the officer strikes the right value for the assessment he has made a great point. The owner will be convinced, as no other experiment will convince him that there is a system which plays fair whether the results are satisfactory to him or not. He will be sure that he is not the victim of favoritism. If, on the other hand, the executive officer does not estimate the assessment at the same sum as the assessor, perhaps the assessor may be wrong and the foundation may be laid for a correction of the assessed value.

APPENDIX

ASSESSMENT OF SHORT OR DEEP LOTS

Hoffman-Neill Rule:

There are several rules or processes in use by property owners, real estate dealers and assessors to assist in the determination of values for different parts of lots. The oldest rule in present use was promulgated by

Judge Murray Hoffman some forty or fifty years ago, and is generally known as the "Hoffman Rule." Originally it appears to have been a simple deduction or declaration to the effect that the front half of a lot is worth two-thirds of the value of the full lot. The most elaborate tables based on this rule were published in the *New York Evening Mail* by its Real Estate Editor, Mr. Henry Harmon Neill, and are careful calculations of proportions resulting from the application of a rule that, taking 100 feet as a basis or unit of depth, the value for the first 50 feet of this depth is 66⅔ per cent of the whole. The calculation has been carried out to show the proportion of value for each foot in depth from 1 foot to 100 feet.

HOFFMAN-NEILL RULE

Feet	P. C.	Feet	P. C.	Feet	P. C.	Feet	P. C.	Feet	P. C.
1	.0676	21	.4012	41	.5934	61	.7492	81	.8837
2	.1014	22	.4123	42	.6018	62	.7563	82	.8901
3	.1286	23	.4232	43	.6102	63	.7634	83	.8964
4	.1520	24	.4339	44	.6185	64	.7704	84	.9027
5	.1732	25	.4444	45	.6267	65	.7774	85	.9090
6	.1929	26	.4548	46	.6348	66	.7843	86	.9153
7	.2112	27	.4650	47	.6429	67	.7912	87	.9216
8	.2282	28	.4751	48	.6509	68	.7981	88	.9278
9	.2443	29	.4850	49	.6588	69	.8049	89	.9340
10	.2598	30	.4947	50	.6667	70	.8117	90	.9401
11	.2748	31	.5042	51	.6745	71	.8185	91	.9462
12	.2893	32	.5136	52	.6822	72	.8251	92	.9523
13	.3033	33	.5229	53	.6899	73	.8317	93	.9583
14	.3168	34	.5321	54	.6975	74	.8383	94	.9643
15	.3298	35	.5412	55	.7051	75	.8449	95	.9703
16	.3424	36	.5501	56	.7126	76	.8514	96	.9763
17	.3547	37	.5589	57	.7201	77	.8579	97	.9823
18	.3667	38	.5676	58	.7275	78	.8644	98	.9882
19	.3784	39	.5763	59	.7348	79	.8709	99	.9941
20	.3899	40	.5849	60	.7420	80	.8773	100	10000

Lindsay-Bernard Rule for Inside Lots:

Lot 150 feet deep equals $100.

Depth from Front	Per Cent of Value	Depth from Front	Per Cent of Value
5	9.	90	84.2
10	15.	95	86.2
15	21.	100	88.
20	27.	105	89.6
25	33.	110	91.1
30	38.5	115	92.5
35	44.	120	93.8
40	49.	125	95.
45	54.	130	96.1
50	58.5	135	97.2
55	63.	140	98.2
60	67.	145	99.2
65	70.6	150	100.
70	73.9	—	—
75	76.9	175	103.
80	79.6	200	105.
85	82.		

It will be observed that the Lindsay-Bernard rule for short lots is nearly the same as the Hoffman-Neill Rule and the latter may be used to apply the Lindsay-Bernard principle to the assessment of corner lots.

ASSESSMENT OF CORNER LOTS

We do not believe that any rule for the appraisal of corner lots has ever been devised which has universal application. While the Hoffman-Neill Rule is of very general value for the determination of the value of short lots all appraisers are well aware that it can generally be applied only to plots of land which are of usable shape and size. The same principle applies to any rule for the determination of the value of corner lots. Moreover, while a corner 100 feet square in one ownership may be increased in value as to all of its area by reason of its corner position it is generally true that the corner influence does not extend beyond a permanent structure erected on the corner even though that structure be only 25 feet wide.

While no rule should bind the judgment of an intelligent assessor the study of rules may be of great aid to judgment. For the purpose of consideration and discussion we print the more important part of the rules formulated by Mr. W. A. Somers for the determination of the value of corner lots, also the simple rule presented by Mr. Alfred D. Bernard, Special Assessor to the Appeal Tax Court of Baltimore, as set forth in his book "Some Principles and Problems of Real Estate Valuation."

The Somers Rule:

For the determination of the increment of value attaching to a plot of land 100 feet by 100 feet on a corner over what it would be worth if it were an inside plot, Mr. Somers has constructed a curve. When this curve is laid down upon a sheet ruled in squares representing one foot every variation of value may be determined with accuracy. As a practical matter ten variations of the rule will ordinarily suffice. The principle upon which Mr. Somers's curve is based is the fact that a corner is more valuable as compared with an inside lot when streets of equal value intersect than when a street is intersected by one of less value.

Corner lots 100 by 100 are increased above the value of inside lots. The greatest increase is when two streets of equal value intersect each other and the smallest increase is that due to a blind alley which amounts only to an easement of light and air. The following table shows the percentage of increase enjoyed by a corner lot determined by the relative value of the intersecting street to the best street when the best street has a value of $1,000 a foot. The corner 100 by 100 is increased as follows:

Side Street Value	Per Cent	Side Street Value	Per Cent
0	6.	$600	25.2
$100	8.3	700	30.2
200	11.1	800	36.2
300	14.1	900	43.2
400	17.3	1,000	51.
500	21.		

When the aggregate increase of a corner lot 100 by 100 has been determined from the previous table, the value of a lot of any width 100 feet deep fronting on the best street may be ascertained from the curve of value. The following table shows the percentage of the total corner increment for a lot 100 by 100 which attaches to various parts of the lot. Thus 5 by 100 on the corner is increased by 23.5 per cent of the total increment for the whole lot 100 by 100 as shown by preceding table:

Feet	Per Cent	Feet	Per Cent
5	23.5	55	92.
10	38.5	60	94.
15	50.4	65	95.5
20	59.3	70	97.
25	67.4	75	97.9
30	73.5	80	98.75
35	78.8	85	99.2
40	83.	90	99.5
45	86.5	95	99.8
50	89.4	100	100.

The Lindsay-Bernard Rule for Corner Lots:

Mr. Bernard explains the valuation of corners as follows:

> "In our work in Baltimore City, we studied the situation carefully and tried out various theories on hundreds of known sales, and we found that as long as we tried to fix a rule to measure the extent of corner influence, we could not reach a satisfactory rule of value which could be proven; but if we fixed the extent of corner influence by the normal utility of the corner and recognized the property lines of individual owners, we could reach a *minimum* value for a corner lot which we could prove almost invariably.
>
> "We found that unless the corner lot was a small one that ordinarily corner influence did not extend beyond the actual corner holding, and if the lot itself was available for the best utility of the zone, we were sure of it; and if any additional value attached to the adjoining inside lot, it was potential and speculative, the exception being where we were appraising lots on low valued side streets working up to high valued main streets.
>
> "Therefore, to get the value of a corner lot in the business district of a given city, we proposed this rule, which, because of the co-operation of my co-worker in the department of assessment and review of Baltimore, we have called the Lindsay-Bernard corner lot rule for business districts.
>
> "First, reduce the lot to its logical front, which will be on the highest valued street, whether the lot actually faces it or sides on it.
>
> "Second, find its value as an inside lot on the main street.
>
> "Third, find its value as an inside lot on the side street, producing it on the Lindsay-Bernard rule; the sum will be the minimum value for the corner.
>
> "Fourth, add all the minor factors of value, which suggest themselves to an intelligent appraiser.
>
> "This is as far as we can go, and we believe we have gone the limit."

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VIEWS AND REVIEWS

I

Philadelphia's victory for strong simple government nearly completes the great movement toward simplicity among the large cities.

New York has built up the powers of its board of estimate by steady accretion until eight men, of whom a certain three hold a majority under a plural voting plan, rule the five millions of the metropolis—which, by the way, pushes the doctrine a bit too far. Chicago votes in November for reducing its board of aldermen from 70 to 50 with a non-partisan ballot, longer terms and one instead of two members from each ward. Philadelphia reduces its bicameral council of 145 members to a single council of 21. St. Louis got rid of its two-house council about five years ago. Boston, Detroit, Cleveland and Pittsburg have their mayors and strong councils of nine members or less. Buffalo, Newark and New Orleans have commission government. Only Baltimore, San Francisco, Milwaukee and Cincinnati—four out of our fifteen largest cities—have thus far failed to move toward a rather radical simplicity of charter form and ballot.

The bicameral councils are happily almost extinct, those in Baltimore, Kansas City, Atlanta and a series of New England towns being the last survivors.

About a third of the 200 places which the census calls "cities" have commission or commission-manager government and these are mostly smaller municipalities. It is the fifty-four second-string cities of 100,000 to 400,000 population which constitute the great remaining municipal field for the short ballot idea.

II

In the political campaigns of yesterday there were certain saloons that always displayed the lithographs of Republican candidates and others that with equal frankness indicated a Democratic allegiance. They captured more votes than platform pledges ever did, for the primitive mind goes with the crowd and absorbs convictions from its environment without necessarily going through any intellectual process. As a recruiting station for the party clubs and for election-day work, these political saloons were indispensable. The saloon keeper's acquaintance with the customers, especially in the big cities where facilities for neighborhood acquaintance were otherwise meagre, made him a local power and a favorite type of candidate for alderman.

As the poor man's club, the saloon had its virtues, but the influence of the political saloon was undoubtedly pernicious in substituting the force of social cohesion for that of free opinion. When a street car conductor found himself voting straight tickets because he had been dexterously roped into a social atmosphere deliberately created and maintained as a political trap, he became deaf to all argument and a dead loss as a citizen. It is highly important that the substitutes for the saloon which various minds are contriving, should, if possible, be guarded against political capture.

III

WHEN the rich political science of tomorrow is written, it will contain a precious interpretive history of democratic forms of government and how they worked. It will review the efforts of lawgivers from the time of Solon to contrive governments responsive to the will of the electorates and will tell of the various ways in which special interests intrigued to sidetrack the preference of inattentive multitudes. That immortal voter of Athens will figure in it—he who was tired of hearing Aristides called "The Just"—for he is still with us. It will tell of those aristocrats of Florence, who, yielding reluctantly to the demand for wider participation in the government, successfully retained control by contriving a complex government that demanded more attention from the new voters than they could reasonably be expected to give. The complaints which are made against the systems of other countries, and the reforms that are agitated will furnish other chapters. Town meetings must be described in picturesque detail, including not merely the good old classic ones of the time of few distractions, but the mischievous survivals in New England today in towns that are far too large for them. Reconstruction days in the south will furnish an array of horrible examples and some of the Latin-American countries of frequent revolutions may give valuable side-lights. Our own history will no doubt supply the most numerous list of experiments and errors. This wonderful book will not deal with governments alone, but with all large organizations involving election by a numerous constituency such as guilds, churches, co-operative societies, corporations and trade-unions.

If the search of the past brings the experience of the ages to our service and gives us a memory to draw upon in our discussions of present problems, it will be doing just what it is history's main function to do. It is such special classifications of past events according to their relation to modern problems that James Harvey Robinson hopes will constitute the new type of history. It will require of its author a patient historian's ability to search obscure original sources for things that other historians found unimportant, and on the other hand it will demand of the author a deep and practical comprehension of the actual working of democratic institutions of today.

IV

IT is welcome news that Graham Wallas is coming over from the University of London for the winter. His work is the freshest and most suggestive study of democracy we are getting. His "Human Nature in Politics" is one of the few "outdoor" books in the political science library and contrasts brilliantly with our typical dry treatises that are extracted from leather-bound laws. Wallas turns his back on the reference room to explore the uncodified material that consists of people, newspapers and the apparent vagaries of elections. To understand democracy and build a serviceable government upon it involves knowledge of the fact that 10,000 people at the polls are different from those same individuals as such and different, too, from a mob, and in their functioning as prime movers of government require scientific study just as much as do the mechanisms in the city hall. If we fully understood electorates, the instruments we create for them to operate might be rather different.

Roger Bacon, six centuries ago, held that scientists should acquaint themselves with the simple homely things that farmers and old women know about and a new world of natural science has since developed. Political scientists should acquaint themselves with the things that are known respectively to ward politicians, propagandists, newspaper reporters, legislative clerks and lobbyists, county courthouse attendants and country editors.

James Bryce found that the political scientists of the days when he wrote the American Commonwealth did not regard the political machine as being within their field of study at all. He discovered it to them, but the attention of our writers of political science is still too much on the easily-accessible text of the law instead of on the atmosphere of the office which enforces that law.

Graham Wallas is, of course, not the only outdoor scientist in our field, but he is too lonely and our students of democracy who shrink from the travel and field work and endless interviews necessary to real creative work in the big laboratory of politics should do him reverence.

Richard S. Childs.

IS MILK DISTRIBUTION A MUNICIPAL FUNCTION?

BY DORSEY W. HYDE, JR.
Municipal Reference Librarian, New York

Surveys made by the New York Department of Health show that "out of twenty-two hundred families, each having at least two children under six years of age, fifty per cent had decreased the amount of milk used since the price had begun to increase." :: :: :: ::

John Stuart Mill has written: "When a business of real public importance can be carried on advantageously only upon so large a scale as to render the liberty of competition almost illusory, it is an unthrifty dispensation of the public resources that several costly sets of arrangements should be kept up for the purpose of rendering the community this one service." This principle undoubtedly applies in the case of the present-day duplication of effort in the distribution of milk to the family units in our various municipalities and many plain, "ordinary citizens" are asking themselves to-day why municipalization is not being urged upon our local legislators.

In the quotation given above the venerable economist stated the need for action when a certain condition was found to exist. As to the character of the action to be taken it was his opinion that the utility or service in question should either become a public function or should be entrusted to the care of a benevolently-inclined private monopoly. Taking the Mill quotation as a text, Mr. Irwin G. Jennings has written a doctorate thesis (Columbia University) entitled "A Study of the New York City Milk Problem," and this study has been published by the National Civic Federation for obvious purposes of propaganda. Mr. Jennings' monograph contains many facts and figures of interest but his conclusions do not appear to be the only logical result of his premises. His antagonism to the main point at issue is shown by his statement that, "the function of government is not business and those engaged in public life would do better in adhering to their proper functions."

CO-ORDINATED DELIVERIES BY AGREEMENT

The reason for propaganda of the above sort is not difficult to ascertain, for war-time governmental "interference" was not wholly confined to such larger utilities as the steam railroads. For many years past transportation experts have pointed out the great reduction in prices which could be effected by a centralized system of milk distribution, with the elimination of duplication in deliveries. The United States Food Administration was not entirely blind to these recommendations and an attempt was made to zone the city of San Francisco[1] and to restrict the number of companies distributing milk in each zone. Difficulties arose, however, and the plan was never carried out. The matter also came up in Chicago but the Federal Milk Commission discovered that its jurisdiction did not extend to questions of distribution.[1]

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[1] See "The Movement for Co-operative Delivery of Milk," National Municipal Review, vol. viii, no. 2, p. 195.

The problem of milk distribution seems to have been accorded serious attention in Great Britain where the pressure of war-time hardship was much greater than in this country.[2] In that country efforts similar to the San Francisco experiment were made in the endeavor to bring about effective co-operation among local milk distributors. Thus Mr. William Warburton, executive officer of the Bradford food control committee, reports "a scheme of block distribution adopted and put into operation by the milk retailers." But as to the effectiveness of the plan Mr. Warburton reports: "Milk has been diverted from one area in the city to another . . . leaving large areas of population entirely without, and unduly improving the supplies of another . . . the present scheme is breaking down, almost every milk retailer apparently being a law to himself. Streets are left without for days, when there is a shortage; there is little or no attempt to give a proportion to all their customers. The method appears to be to distribute what is available, sometimes in large quantities to those who happen to be at the commencement of the district. Changes are frequently made between milkmen, without the knowledge of the food office. Milk rounds are disposed of, sometimes to producers, who then transfer their milk from another retailer, and there have been cases where changes have resulted in the loss of supplies to the city."

LOCAL MILK CONTROL IN ENGLAND

The possibility of troubles of the above order seems to have been foreseen by the government authorities, as clause 13, sections a and b of the Milk (winter prices) Order of 1918 authorized local food control committees, (subject to the concurrence of the food controller) to fix maximum retail prices for their districts, and in the event of refusal on the part of distributors to accept the prices so fixed, *to make their own temporary arrangements for insuring distribution to consumers.*[3] In accordance with this ruling Mr. Warburton, in the above-mentioned report, appeals to the food controller for permission for the Bradford food control committee to take over the whole responsibility of local milk distribution.

Action similar to that at Bradford was taken soon after in the city of Sheffield. The local food control committee, which in the past had co-operated with the milk dealers, now came forward with a plan for municipalization in order "to increase the (milk) supply and improve the chaotic and unsatisfactory methods of distribution." In making this recommendation the committee state that similar action has already been taken in other British communities."[1]

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[1] See Chicago *City Club Bulletin*, May 26, 1919, p. 129, "Committee Reports on Milk Study."

[2] The milk retailers of Salcoats voluntarily surrendered their licenses as distributors as a protest against the retail prices fixed by the local food control committee. Faced with this situation the committee took over the complete responsibility for local milk distribution, inaugurating a central milk distribution depot and obtaining the necessary milk supplies under requisition from the farmers who formerly supplied the retailers. According to the *Municipal Journal* (London) "the requisitioning . . . is merely a formality, as the farmers generally are very friendly to the scheme, which has worked well for some months, and is now placed on an established and permanent basis."

[3] The Wholesale Milk Dealers (control) Order of 1918 was revoked April 30, 1919, but the revocation is stated to be "without prejudice to any action towards the permanent control of the wholesale trade in milk that may be decided upon." (*National Food Journal*, May 14, 1919, p. 393.)

NATIONALIZATION OF WHOLESALE MILK TRADE

Local activities of the above character have not been without their effect upon the leaders in the government. Mr. McCurdy, speaking in parliament for the food controller last March, said that experiments of the above kind had occurred in "a comparatively small number of cases," but two months later we find Mr. Kennedy Jones in parliament asking whether the government were considering the nationalization of the wholesale trade in milk and what evidence had been, or was being collected, to justify such a step. In the reply to Mr. Jones it was stated that the ministry of food, the departments of agriculture and the local government board are exhaustively examining "the whole question of the desirability of exercising a permanent control over the wholesale trade in milk."

From the foregoing it will be seen that the question of centralized control or supervision of the milk supply and of its distribution is at last receiving the attention which it deserves in at least one of the great nations of to-day. With milk prices steadily mounting skyward in this country, and in the face of reports of augmented infant mortality statistics, it remains to be seen what action will be taken by the national, state and local governments of America.

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[1] With the termination of the war the powers of the local food control committee ceased, and under "the present legal conditions" Sheffield lacks the power to undertake the distribution of milk. In view of this fact the committee have published a report in which they recommend "that the council should press upon parliament the necessity of passing a general statute conferring full enabling powers respecting the retail distribution of milk upon local authorities" and "that failing such legislation before November next, the council should apply for full powers, enabling them to undertake the retail distribution of milk in the city."[2]

[2] Memorandum upon the "Milk Supply of Sheffield." Sheffield Food Control Committee. January 31, 1919. 10 p.

FRANCE'S FIRST CITY PLANNING LAW

BY FRANK BACKUS WILLIAMS

I

A MOST notable event in the history of city planning is the passage last March of the first French city planning law, the advance sheets of which are just reaching this country.

For many years France has had legislation in aid of certain details of city planning, such as, for instance, its excess condemnation laws; but none providing for the making of plans for communities as a whole, and the protection of such plans against the selfish encroachments of the owners of real property affected by them. Such laws had long since been passed in all the other great, progressive countries on the continent of Europe, and most of the smaller ones; and were to be found in the British Isles, Canada and other parts of the British Empire. The passage of the French city planning law leaves the United States—where such laws are lacking—the one great exception in the progress of city planning law. Most significant of the growing realization of the importance of city planning in community life is the fact that the new French law, like the English law by recent amendment, makes the careful formulation and adoption of plans by cities and other communities compulsory.

City planning legislation has long been advocated in France. A bill in essentials much like the present law was introduced in the French legislature in 1909, and, somewhat changed, was passed by one of the chambers in 1916. The present law is this bill in a modified form.

The French planning law, like that of Italy passed in 1865, is a development and extension of the law for the expropriation of land, which is quite different from the expropriation legislation in England and this country. In England and here, eminent domain is judicial; in Latin countries it is a political act, the legislative or administrative authorities, after hearings at which all those interested are given full opportunity to be heard, decreeing in each case that the taking is for the public advantage, the parties deprived of their property being allowed only to litigate the amount of compensation due them. Under the older Italian and the recent French planning law, although in the main no compensation is allowed, a similar decree of public utility is required for the establishment of the plan, the proceeding being subject both to the inquiries and hearings usual in expropriations and in addition to others especially appropriate in the planning of communities.

II

Under the French planning law just passed, the following communities are required within three years of the promulgation of the present law to have planning schemes formulated and in force:

Every city of 10,000 inhabitants or over;

All the communes of the department of the Seine;

Cities of more than 5,000 and less than 10,000 inhabitants, whose population has increased more than 10 per cent in the interval between two consecutive quinquennial censuses;

Settlements, of whatever size, of a picturesque, artistic or historic character, listed as such by the departmental commission on natural sites and monuments.

This scheme shall include:

1. A plan fixing the direction, width and character of highways to be laid out or modified and the location, extent and plan of squares, public gardens, amusement grounds, parks and the various open spaces; and indicating the reserve lands, whether wooded or otherwise, and the sites of future public buildings, utilities and other services.

2. A program of the hygienic, archæological and æsthetic servitudes to be created, as well as the other conditions to which the scheme is to be subject, especially the open spaces to be reserved, the height of structures and the provisions for drinking water, sewers, the disposition of wastes and, if necessary, the sanitation of the soil.

3. The outline of an order of the mayor, made after consultation with the municipal council, fixing the application of the above measures to the plan and program.

When any settlement of whatever size has been totally or partially destroyed by war, fire, earthquake, or any other catastrophe, the municipality shall within three months of the date of that event, draw up a general plan of building and street lines and elevations of the part to be reconstructed, accompanied by an outline of a planning scheme. Until the plan of alignment and elevations has been approved, nothing but temporary shelters shall be erected without the authority of the prefect of the department, given after consultation with the departmental planning commission provided for below.

The expenses of the required schemes and plans in the case of the communities destroyed by catastrophe and those listed as picturesque, artistic or historic, shall be borne by the state; in other cases subventions may be granted in accordance with regulations to be drawn up by the state.

III

In each department there shall be created for the guidance of the communes of the department in their planning, a departmental planning commission composed of the local bodies in charge of hygiene, natural sites and monuments, civil buildings, and four mayors appointed by the state. This commission shall of its own motion or on their demand hear the delegates of the departmental societies of architecture, art, archæology, history, agriculture, commerce, industry and sport, the mayors of the cities or communes interested and the representatives of the transportation companies and the various utilities and services of the state.

The commission may add to its number reporters who shall be heard on the matters investigated by them. This commission shall give its advice with regard to:

1. Schemes to be adopted by the municipalities.

2. Derogations from the general principles of planning laid down by the superior commission provided for below, necessary on account of special difficulties or local needs.

3. The æsthetic or hygienic servitudes incidental to the schemes submitted to it.

4. All other matters referred to it by the prefect of the department.

At the Ministry of the Interior of the state there shall be created a superior planning commission of thirty members, composed of senators, deputies, counsellors of state, directors of various state functions and delegates from state societies, etc., and four city planners, architects, or others specially qualified. This commission shall establish general planning rules and regulations and shall give its advice on all schemes referred to it on its own motion or by the Minister of the Interior or the minister in charge of the "liberated regions."

When a scheme has been drawn up, it shall, after the advice of the sanitary authorities has been taken, be submitted to:

1. Examination by the municipal council;
2. The usual "inquest," preliminary to the declaration of public utility by the council of state or other state authority as required in expropriations, at which all parties interested have the right to be heard, and the objections are referred first to the municipal council and then to the prefect for opinion and preliminary decision.
3. To the examination of the departmental planning commission.

The municipal council shall then give its decision on the matter as a whole; which shall then go to the council of state or other state authority for final action, approval taking the form of a declaration that the plan is of public utility.

If in any step in the planning the city does not act, the state is given power to do so, and an appropriate penalty is visited on the city. If a scheme interests more than one commune, or transcends the department, intercommunal or interdepartmental action and control are provided for.

Anyone creating or developing a group of houses is required first to deposit the plan with the authorities and obtain the approval of the prefect of the department.

After a plan is declared to be of public utility, or in the case of private developments is approved by the prefect, the owners of lands abutting on proposed highways or squares shall conform to the lines established and shall not erect new structures without a permit from the mayor.

COMMUNITY PUBLICITY

BY WALTER PARCELLE

Publicity Director of the American City Bureau, New York.

I

Reputation for progressiveness, being a "live town," is the best form of publicity any city can obtain. The live town is advertised by its citizens and by every visitor who stays long enough to inhale a little of the atmosphere of the place.

An impression made by a city in Texas will linger in memory forever. Arriving at night, the clerk of the crowded hotel somehow found a room. In the morning the city was spread out for a sixth-floor window view.

"This town was finished yesterday and swept up last night," was the spontaneous thought. The buildings looked new; many of them plainly were not, but they had been kept painted and in good repair. The streets were clean. The procession of automobiles in the main thoroughfare was orderly and the drivers were considerate of pedestrians at the crossings. When the girl at the cigar counter was asked if she had a particular nationally-advertised kind, she was "sorry, sir; we have not, but if you are going to be here a day or two I'll get a box of them." And that was and is the spirit of that town. Even the colored population looks better than in the average southern city; clearly they have a pride of citizenship and a desire to create a favorable impression on strangers.

"If I was 25 years old instead of past 50, I wouldn't leave this city; I'd stay right here," was the assertion of a business man from the North, and his sentiment was joined in by several others. That city is reaping its reward; its population of 150,000 to-day is twice its total of five years ago and in another five years it will have close to half a million.

It is this "atmosphere of enterprise" which will do more and go farther to advertise a community than all the other things it can do.

The wonderful part of it is, it doesn't cost a cent! Whereas almost all other forms of advertising cost money; some of them lots of it!

An Alabama city has just decided by big majorities to expend $4,500,000 for school buildings, an auditorium, a public library and city hall and fire apparatus. All this new municipal equipment will bring the city up to the standard of the best in the country. Though it will add something to the taxes, it will be the best piece of publicity this city has invested in in a decade. Manufacturers are going to locate in that city because it will have ample schools and a good library. Conventions are going there because of the fine auditorium. People are going there to live because the city has given these visible evidences that it has the "atmosphere of enterprise."

"St. Louis After the War," a pamphlet recently issued by that city's board of public service, frankly says: "Previous to the Civil War St. Louis was the metropolis of the central west . . . four years of comparative inactivity from 1861–65 were sufficient to divert the channels of industry and traffic elsewhere, and Chicago assumed a lead which St. Louis has never since been able to overcome." St. Louis has seen an opportunity to regain something of her former leadership and in order to do so has undertaken the development of a city plan which contemplates expenditures of $93,972,000. One item is a municipal auditorium to cost $2,500,000; another, parks and playgrounds to cost $6,500,000; $15,000,000 is to be expended on public buildings.

All over this country there are cities, large and small, which have caught this vision. Hardly any two of them have interpreted the urge to "do something worth while" in the same terms. In one the thing done was to clean up the so-called slums and house the people in comfortable homes; in another, a dilapidated and disgraceful main street was repaired from end to end, the buildings painted and brightened up, the old and torn awnings and signs replaced with new ones and with some idea of harmony; in still another city, a commission and manager form of government was adopted.

It really does not matter much what form the evidence of an "atmosphere of enterprise" takes; it is the fact that this feeling on the part of a whole city that it ought to do something to prove it is alive breaks out somewhere which counts. For once a community does do something worth while, it may generally be depended upon to follow up with other things.

II

The ways in which a community can gain publicity are about as many in number as are the cities. A catalog of publicity devices and methods which have proved effective would be just that —a catalog. Natural attractions or advantages are the most obvious and most commonly employed means of making a city known. Sometimes this publicity can be overdone. Niagara Falls was so well known for its rapids and cataract that it was not until recently people began to realize that in addition to being the mecca of newlyweds it had huge manufacturing plants and was developing electrical energy in quantities surpassing any other spot on this earth.

One of the early things any community setting out on a publicity program can do is to give the city a name—even "Smoky City" has publicity value—or adopt a slogan. The great American habit of nicknames will persist long enough to make this worth while.

If large signboards are placed at the highway entrances and near the railroad stations, it would be wise to avoid such phrases as "Cheap Land, Power and Labor." A city which used that appeal had a lot of trouble with the labor unions.

When foreign trade commissions visit the United States those communities which are so fortunate as to entertain them secure a great deal of valuable publicity.

Encourage the local baseball club; take an interest in the sports of the school boys. Every time your home team wins a victory, your town is being advertised, and nothing contributes more to victories than lively home support.

Such suggestions as these might be extended into a list pages long. It is not necessary. Everybody can think of them.

III

Something ought to be said about the printed matter which cities issue. A recent number of the "Notes" of the Municipal Reference Library of New York has put it into these words:

"Many American cities, particularly in the West, have for long appropriated money to advertise their advantages as places to live and do business in. Not so very long ago civic and business organizations kept local printing establishments busy turning out highly colored pamphlets extolling the not-too-minutely defined superiorities of their locality. During the past two or three years this type of city advertising has to a great extent been supplanted by a new type of publicity matter which aims to present truthfully the essential facts of interest to prospective new-comers. A handsomely printed and illustrated folio volume (11 x 16 inches) entitled 'Somewhere in America there is an economic point,' recently received by the library, is an excellent example of the new type of publicity. The writers of the book undoubtedly believe that Indianapolis occupies the indicated financially desirable position and their convictions, not too ostentatiously urged, are based upon a number of carefully prepared statistical maps. A book of this kind, besides being pleasing to the eye, is of value educationally at home and in other cities and reflects credit upon the farsighted intelligence of its compilers."

IV

Returning to the assertion made at the beginning, that a good reputation is the best kind of community publicity, the question may be asked how a town may acquire fame as a live one?

In the first place it must be organized. There are one-man towns in the United States, quite a number of them; but they are not famous as a rule for their progressiveness; rather for the production of some one line of manufactures.

Organization which is complete enough to include representatives of every element in the community (especially the so-called working people) rarely fails to produce among its earliest suggestions the doing of some of the things that community has most wanted for some time. In an organization there is a feeling of "now we can build that bridge," or "we can eliminate the grade crossings," or perform some other duty of the citizens as a whole toward the community as a group of individuals.

Quite often the mere act of organizing will bring forth a vision of a community undertaking and accomplishment which will have unusual publicity value.

It was a toil marked man, dinner pail in hand, who stopped on his way home from work to tell the secretary of a community organization of a dream he had been thinking of for years—the cleaning up of a natural amphitheatre in the heart of the city, the conversion of a public dump into a play place for the children. A million dollars could not buy that recreation center today, and the city has obtained from it a million dollars' worth of publicity while the children were enjoying it.

When a city in New York was thinking of rebuilding its community organization, no appeal had more influence than an informal talk one evening by a citizen who presented a vision of an educational system so good that the whole world would look to it as a model. "Think what it would mean to this city to have people everywhere saying, 'there are the best schools from kindergarten to university; they are without an equal anywhere else.' Why, you could not keep people away; they would come in here faster than we could build homes for them." And then he showed how easily and cheaply such a reputation could be achieved—by the simple trick of the whole community going about it in a united, determined and orderly way.

Naturally, in every community, the big things are first to be undertaken. And as one task is disposed of another always takes its place. "A city is never finished." But along with the major undertakings of a community organization, some of the minor projects which will have been brought to the fore will receive attention.

The rule may be laid down that the live town always has a live community organization. It can't be otherwise. One cannot conceive of a really progressive city which ever gained a reputation for forward-going through the initiative or deeds of individuals acting as such. If each of the "big men" of a city thought and acted alone, in community affairs, who would there be to spread his fame or that of the city? for the others would all be occupied in attending strictly to their own concerns.

Most cities have community organizations, it will be said; why are not they all alive? Because the organizations are not well organized; they lack in numbers and income, in a clear understanding of what they were formed to perform, in a right conception of their relationship to their communities.

V

Community publicity is a subtle and strange thing, but it operates according to rules just as firmly established as those which govern the building and handling of any other piece of machinery. Here is a true story:

There is a city in Michigan whose citizens once raised a fund of $50,000 to be spent in what someone has described as the business of "factory grabbing." The money was so spent, in three years. It did not bring a single new industry to the town. When the fund was about exhausted the organization met to wind up its affairs. The motion had been made and seconded when a leading citizen arose.

"We have spent our money," he said, "and haven't a thing to show for it. This has set me to wondering if we were not on the wrong track. While we have been trying to bring factories here, we have overlooked our own city. The streets are out of repair. We have no parks. Our schools, fire and police departments are a joke. The city hasn't enough civic spirit to light a bonfire. Now instead of going out of business, suppose we all chip in to another fund and spend that money trying to improve our home city. Let's try it for a year anyway."

His enthusiasm prevailed. At the end of the year the results were such that the organization financed itself for another year, and then a third.

When the third year had run its course the same leading citizen made another little speech:

"We spent $50,000 to get new factories, and didn't get one. We have spent about the same amount trying to see how good a town we could make of this, and now look at the inventory: More than a dozen new industries have quietly come in and made their homes here. We have gained 40 per cent in population. We have good streets, good schools, several parks, efficient fire and police protection, and we are all loudly and proudly telling the rest of the country that this is the best city on this continent. We not only believe it, but we know it, and if called on, we can prove it."

Community publicity is about 90 per cent civic spirit, manifested in a community organization.

WILL LOW FARES HELP TO CURE HIGH COSTS?

BY WALTER JACKSON

Consultant on Electric Railway Fares and Service, Former Associate Editor and Business Manager of Electric Railway Journal.

NOTHING could seem more unorthodox than the idea expressed by the title of this article. What—advocate a reduction in the selling price of transportation at the very time that costs are at a maximum? Could any paradox be more absurd than this? Well, then, let us see first what has been the result of the opposite policy, that of increasing the rate of fare.

Hundreds of American electric railways have received the increase in rates for which they longed so eagerly. It is not on record, however, that they are quite as pleased as they hoped to be, for almost invariably the augmentation of revenue has been less than expected. This disappointment has been accentuated by still further jumps in costs, especially of platform wages, which have easily outstripped the increases in revenue.

If the American electric railway were carrying fully-loaded cars all day long, there would be but one way of getting more revenue, to wit, by an increase in the unit fare return per passenger; but for only four hours in the day are its cars over-crowded, while for fourteen to sixteen hours just a portion of the seats are occupied. Even the rush hours average little better than a seat per passenger when we bear in mind that the cars returning against the current of travel are usually empty.

The consequence of an increase in fare is to make this poor load factor still worse through the reduction of the short-haul or profit-producing rider. Any increase in revenue obtained through raising fares is less than it seems because the cost of carrying the remaining passengers per unit is greater than it was before. To put the matter more technically, the same number of car-hours and car-miles must be given for a smaller number of riders while the investment charges remain as heavy as ever. It is poor policy to cut the number of car-hours and car-miles in proportion to the reduction in riding because this discourages the return of the short rider. Yet more than one railway, in sheer desperation, has done this suicidal thing, much to the joy of the jitney and of the automobile accessories merchant.

Even if the increased unit fare does accomplish the end of meeting fixed charges and paying modest dividends its use cannot be deemed a good omen for the continuance of the electric railway industry as the foremost common carrier. No industry can live and grow on a constantly diminishing clientele; on extracting as much as possible from the individual rider who perforce must use the street car. Such an electric railway may, for a time, conserve the interests of its investors but it will have no occasion to buy new cars, track, wire and power-house equipment. Indeed, a number of electric railways which have raised their fares and lowered their patronage are now selling such material instead of buying it. That is the natural consequence of trying to *salvage* the property instead of trying intensive merchandising first.

But the most alarming feature of the railway which carries fewer passengers with each increase in fare is its diminishing value as a public utility. It is no longer the natural carry-all, the great time-saver of the general public. It has become simply an organization which puts the conservation of the property ahead of its primary purpose of carrying the greatest possible number of people who could be benefited by its service. In deliberately diminishing its usefulness, therefore, such a railway invites the competition of the jitney and private automobile.

If it is agreed that the policy of increasing the unit fare is resulting in a declining usefulness of the street railway, we may think it worth while to see if better results could be expected from the totally opposite policy of lowering the fares at a gain to both the railway investor and the railway user.

WHY AMERICAN CARS ARE UNDERLOADED MOST OF THE DAY

The startling contrast between the peak and off-peak hours of the American street railway is of such long standing that the operator and the public have long taken it for granted. Yet if we examine the traffic load curves of British cities we will note a much more favorable contrast between the loads carried at different hours of the day. This is not due to differences in working hours nearly as much as to the different way of charging for transportation. The United States uses a flat fare which does not encourage short riding; the United Kingdom uses a graduated fare which does encourage short riding. In both countries the majority of rush-hour riders are long riders—people going to or from work; and in both countries the majority of off-peak riders are short riders. The difference, however, is that in America the short riders are an insignificant factor almost, while in Great Britain they form the backbone of the riding and the revenue, Note also that this latter fact holds true whether the city is large or small, solidly built up or diffused, manufacturing or residential. Any American street railway that could approach the density of traffic found in England would surely enjoy a renewed lease on prosperity.

The American electric railway is suffering to-day from the effect of the unit fare policy for which, it may be added, the American municipality is equally responsible. To get an unlimited distance for the same fare, not merely in the same community but in practically every city of America, was a condition not calculated to give the American car rider any idea of the cost of street railway service. The reaction for the street railway manager was just as bad. What was the use, he reasoned, of trying to determine the cost of carrying a passenger a given distance when people could ride as far as they pleased for the same fare?

Still more germane to our subject, was the manager's other reaction that there was no use in trying to build up short-ride traffic through giving the increased service that is a necessity under a short-fare, short-ride system. He took it for granted that people usually rode only when they had to and when they felt they were getting their money's worth., The manager reasoned that although a man got five miles for five cents, he would not be inclined because of that bargain to pay five cents for one mile or less.

Thus it came to pass that the bright electric railway operator was he who used the largest cars to obtain the lowest platform expense, for when larger cars replaced the smaller ones the intervals between the cars were lengthened so that fewer conductors and motormen could handle the same number of passengers. Operators gloated over the obvious reduction in expenses but few realized then that they were driving away trade. Indeed the big-car fantasy finally reached the absurd point where a resident in a medium-size town could walk from home to office before the arrival of a car!

It was not until the coming in large numbers of the private automobile and of the jitney that many American electric railway operators began to realize that they had made no allowance for frequency of service in building up riding, let alone the other important factor of a short rate for a short ride. They saw also that the jitney not only took traffic away from them but created entirely new business because of its more frequent service. From this experience came the use of the automatic or safety type of one-man car which never fails to build up new business wherever it is installed to give more service. It is noteworthy, too, that people are willing to pay more money for better service.

But frequency of service with more economical car units is only half the story in trying to secure more revenue through the increased rather than decreased usefulness of the street railway. The American electric railway must also, where the population is reasonably compact and the routes at least two miles long, be prepared to sell transportation in the size of package and at a price in proportion thereto that the customer wants. No longer can it be urged that there is nothing sweeter and finer than the five-cent fare and the free transfer, for we have with us today the six-, seven- or eight-cent fare and the two- or three-cent transfer—a combination with all the faults of the flat and zone systems but the virtues of neither. So the time has come when the alleged complexity of differential fares cannot be urged against their adoption.

IMPROVING THE LOAD FACTOR THROUGH LOW FARES

In discussing the building up of revenue through giving lower fares for shorter distances or through other means, it is well to bear in mind that even under the five-cent flat fare there was a certain amount of voluntary or short-haul riding. Judging by the losses in traffic which followed many fare increases from five to but six cents, the proportion of these short riders and long riders who could refrain from riding was 10 to 15 per cent. Consequently, the restoration of the five-cent fare for the average distance represented by these classes would bring the traffic back almost immediately.

But the experience of hundreds of zone fare street railways operating under the widest variety of conditions from Britain to New Zealand indicates that a properly graduated system of fares ought to give us from 40 to 50 per cent passengers riding up to say one and one-half miles. If we succeed in creating as much more traffic as this difference in percentage (40 to 50 as compared with 10 to 15 per cent) indicates, it will not be necessary for our electric railways to put all the burden of increased costs upon the poor fellow who *must* use the trolley. A recent case in which some of the former five-cent riders find themselves asked to pay double and even triple fare is an example of the policy which does not take into account the creation of new riders for new revenue.

When a street railway has a large proportion of short riders, the contrast between peak and off-peak hours, as already hinted, is much less severe than on a flat fare system. The reason is to be found in the enormous increase in neighborhood riding by women, children, merchants' clerks, etc. Most of these short riders keep off of the cars during the rush hours because if the service does not offer seats they can walk, but they are ready to ride at other times provided they can get frequent service. On most zone-fare roads also there are three rush periods instead of two because many of the short riders also go home for lunch. Lunch riding is supposed to be a British characteristic but we have plenty of proof that the provision of more frequent service alone will tempt Americans to give up the downtown restaurant.

There are, of course, many towns which are too small for a graduated fare, but these need not give up hope in consequence thereof. As most of these smaller cities will soon be operating with one-man cars, it would be undesirable to complicate the work of the car operator by asking him to handle a variety of reduced rate tickets good only for certain hours of the day. If any reduced rate is used, it should apply only to the off-peak hours when it is feasible for the car operator to handle tickets and when there are ample seats available. The old-time reduced rate for rush hours is, of course, an economic absurdity since it usually costs more to carry a passenger in the rush hours than at other times. From the viewpoint of the railway, tickets of different prices are also undesirable in the opportunity that they give to a dishonest conductor to substitute a low-price ticket for a high-price ticket or cash fare.

The writer's solution for securing more revenue for the small-town railway at an actual reduction in the cost per ride contemplates the use of a weekly commutation ticket, the price of which would be equal to say three rides a day. This means that a person taking four rides a day would get one pair of rides, taken either at noon or at night, for half price; but without the complication of special tickets or of cash handling by the car operator. In fact the car operator would be relieved of considerable work by this plan. The ticket might be good for unlimited rides within a week, so that the car operator would not even have to punch the ticket. No harm would ensue from making such tickets transferable since only one person could use a ticket at one time. The workman going to his job, for example, could not well give the ticket to his wife until he returned at night.

Under this plan, it is obvious that the extra riding would come during the off-peak hours when there are seats to spare, since the chief purchasers of these tickets would be people who are already riding twice a day during the rush hours in going to and from work. The other purchasers would include agents, shoppers, students and employers who would give this ticket to their errand boys instead of furnishing cash which often never gets to the coffers of the railway! By this plan, there is promised the same desirable and needed increase in load factor, or use of the investment in equipment that the short-ride fare offers for larger cities.

To conclude: If the electric railway is to become of greater instead of less usefulness to the community, the revenue which it needs ought to come, if possible from the creation of new business rather than by assessing the full burden of increased expenses upon the diminishing number of passengers who must use the service. So long as it is possible to carry a person cheaper via electric railway, or electric railway and bus, than by the privately owned automobile or the untaxed, unreliable and unregulated jitney, the electric railway manager must leave no means untried for getting more customers instead of less.

THE FATE OF THE FIVE-CENT FARE

V. TOLEDO, OHIO

BY WENDELL F. JOHNSON

Secretary, Municipal Commission of Publicity and Efficiency, Toledo, Ohio

Previous articles in the series have dealt with Boston, Montreal and Chicago. Articles on the situations in San Francisco, Detroit, Indianapolis and other cities are in prospect. :: :: :: ::

THE SITUATION IN BRIEF

To-day, August 1, 1919, the Toledo street railway system faces this situation:

1. The Toledo Railways and Light Company has been operating without a franchise since 1914.

2. An ordinance passed by council and approved by Mayor Schreiber, ordering the Toledo Railways and Light Company to remove their property from the streets of the city, was to have gone into effect to-night, but referendum petitions filed at the last moment by a committee of business men, heads off action by the city until the ordinance can be submitted to the voters at the November election.

3. A tentative draft of a new 25-year franchise has been presented to council by the company. No action by council has yet been taken on this proposed franchise. The company has notified the city that if council does not submit to the voters at the November election, either the franchise they have proposed or a modified form of that franchise, as agreed upon by city and company, that the company will itself initiate action to place their franchise before the people at that time.

4. Meanwhile the company continues to operate, charging their increased rate of fare recently put into effect, namely, six cents cash fare, with a two-cent transfer.

HISTORY OF TOLEDO'S STREET CAR FIGHT

The subject has been before the people of Toledo ever since the company first began negotiations for a renewal of their franchise, several years before their old grants were to expire. Every council and every administration since Samuel M. Jones was mayor of Toledo has had to grapple with the problem of arranging a definite relationship between city and company.

Beginning with the famous "petition-in-boots" in which citizens thronged to the council chamber to protest against the granting of a franchise to the company, the municipal history of Toledo has bristled with events connected with various phases of this public utility question. Expiration in 1910 of a number of grants to the company permitting them to use certain streets gave the city an opportunity to act, and an ordinance was passed on July 26, 1911, and signed by Mayor Brand Whitlock, requiring a payment to the city from the company of $250 per day for the use of those streets. Failure to comply with this order was to be followed by steps to throw the company from the streets.

Nothing happened, and on November 24, 1913, another ordinance was passed by council and signed by Whitlock, fixing the rate of fare at three cents with universal transfers, reiterating the provision of the former ordinance requiring a daily rental charge of $250 from the company, and providing for the abandonment of the streets by the company if either provision were ignored. The ordinance was to go into effect March 27, 1914, when the remaining franchises held by the company were to expire.

WHEN PASSENGERS RODE FREE

When that day rolled around, Mayor Keller undertook to enforce the provisions of the ordinance. The citizens were informed that three cents was the legal rate of fare and that they should refuse to pay more. The company countered by refusing to accept three cents as payment of fare, instructing their conductors to permit persons to ride without paying rather than accept the amount fixed by the city.

For several days large numbers of persons rode free of charge. Many passengers, on the other hand, preferred to pay the five-cent fare demanded by the company. The matter was finally settled by the United States district court, when Judge Killits ruled that the three-cent fare ordinance was confiscatory and invalid. No further attempts have been made to enforce the ordinance.

COURT BLOCKS RATE FIXING

Since that time the rate of fare has been raised three times, first by eliminating the three-cent fare, formerly allowed during certain hours of the day, then by fixing a straight five-cent fare with a one-cent transfer, and just recently by raising the rate to six cents straight with a two-cent transfer. Efforts of the city to stop the increases were blocked by action of the Federal Court in ruling that so long as the company has no franchise the city cannot fix the rate of fare to be charged.

The court did rule, however, that so long as the company has no franchise, the city has full power to deny the company the use of the streets. It was this ruling on which the administration based their decision to oust the company from the streets, after they had arbitrarily and without warning made a further increase in the rate of fare. By passing an ordinance that gave the company no alternative but to remove their railway from the streets the city prevented any recourse to the courts with the resultant litigation. The ouster ordinance was an attempt to bring the company to terms.

The company accepted the order and prepared to leave the streets on July 31. The city began receiving proposals for other means of transportation. Arrangements were made to have a system of auto bus lines begin operation August 1. The difficulty was that the bus company wanted a franchise giving them a monopoly of the business before they invested money in equipment. This could not be done at once as such franchises must be submitted to the voters.

In the absence of a definite plan for a substitute transportation system, the public began to fear that they would have to walk. Opposition to the bus system was made too, by the carmen's union and the electrical workers union, whose members would thereby be deprived of jobs. Organizations of business men adopted resolutions against the ouster, fearing that business would be disrupted if transportation should cease.

COMPANY SUBMITS A FRANCHISE

At this juncture the company, through its president, Frank R. Coates, addressed a communication to the city in which they proposed to continue operating the cars until lawfully prevented, for the sake of the public, to whom street car service was essential. They announced that they were preparing a plan for the permanent settlement of the whole question, embodying the service-at-cost principle, and modelled closely after the Cleveland plan.

The city received the communication but stood pat on the ouster ordinance. Then, to prevent the ordinance from going into effect, a committee of business men circulated petitions for a referendum on the measure, and secured twice the required number of signatures. As a result, the ordinance cannot now be enforced until after the November election, if at all.

THE COMING ELECTION

Present prospects are, therefore, that at that election two propositions affecting the street car situation will be submitted to popular vote: One an ordinance ordering the Toledo Railways and Light Company off the streets, which if sustained would deprive the city of street car service at once. The other, a franchise to the Toledo Railways and Light Company which, if approved by the voters, would settle the whole question for twenty-five years. In such a contingency, the casual observer would hardly expect a vote that would be unfavorable to a franchise. Of course there is a possibility that both measures will be voted down, in which case the situation will remain as it has during the last few years, the company continuing to operate untrammeled by a franchise.

THE PROPOSED FRANCHISE

The chief features of the franchise proposed by the company are as follows:

As to Valuation. An arbitration board of three members is to report on a valuation of the system, within six months. They are instructed to include in this capital value, the amount necessary to create the business and property new, deducting only the amount required to place the system in first class operating condition.

To this initial capital value shall be added from time to time sums expended in extensions, betterments and permanent improvements. From the capital value shall be deducted moneys received from the sale of property included in the capital value, and not expended in making extensions, betterments and permanent improvements.

Franchise Rights, good will, outstanding bonds or other securities are not to be considered at all in fixing the capital value.

As to the Company's Return on their Investment. The company is to be guaranteed a net return of not less than 6 per cent on the capital value of the system.

The company may receive more than 6 per cent if the arbitration board at any time decides by a majority vote that a higher per cent would be a reasonable return. Failure of the company to comply with orders from the arbitration board as to service, rate of fare, or any other matter under their jurisdiction permits the board to reduce the company's rate of return except that it can never be less than 6 per cent on the capital value.

As to the Rate of Fare. A sliding scale of fares is provided for, with no minimum nor maximum. The initial fare is to be five cents cash fare with one-cent transfers. After the first six months the fare is to be fixed from time to time by an arbitration board, at a rate sufficient to pay operating expenses maintain the equalizing fund at 5 per cent of the capital value, and yield the fixed return to the company.

As to the Equalizing Fund. The company is to create this fund with a deposit equal to 5 per cent of the capital value of the system. To the fund is to be added monthly the surplus left after paying operating expenses, and allowing for the dividend to the company. From the fund are to be paid all taxes, and certain other charges. The intention is to keep the equalizing fund about equal to 5 per cent of the capital value. When it reaches 3 per cent of the capital value that is *prima facie* evidence of the necessity of a higher rate of fare. When it reaches 7 per cent, that is *prima facie* evidence of the necessity of a lower rate of fare.

As to Control by the City. A street railroad commissioner, whose salary is paid by the company in a sum to be fixed by council, is to look after the city's interests, keep the city informed as to earnings, expenditures, and service, and recommend changes in routes or in schedules. The city is to control all extensions and permanent improvements and may eliminate unnecessary lines. In case of disagreement matters are to be submitted to arbitration.

But the city's control over extensions and improvements ends whenever only fifteen years remain of the unexpired term of the franchise or renewals.

As to Amortization. If, when only fifteen years remain of the unexpired term of the franchise, the franchise is not renewed or extended, the company may begin accumulating an amortization fund, by setting aside annually a sufficient reserve so that this reserve shall at the expiration of the grant equal the amount of the then capital value of the system, less the estimated salvage value of the property.

As to Purchase by the City. The city has the right at any time before the expiration of the franchise to purchase the street railway system at a price equal to the capital value of the property plus 10 per cent. After the franchise has expired the city may purchase the system for a sum equal to the capital value without the 10 per cent premium.

As to Purchase by Another Company. The system may be purchased at any time by a community traction company, owned by car-riders, or after the expiration of the franchise by any other company at a purchase price equal to the capital value of the system.

CONCLUSION

The possibility of a permanent settlement of the street car question here, with city control over service, and with fares to be governed by the cost of the service, is rather an alluring prospect to the people of Toledo, when this question has for so many years kept the public in a turmoil and provided campaign material for politicians. There appears to be such a possibility in the opportunity now offered to negotiate with the company on a new franchise.

But whether or not the city would

have to pay too high a price for the peace thus offered is a question that can only be answered when the negotiations are closed. The franchise as now framed is highly favorable to the company. The city may be able to secure modifications that will make it more favorable to the city.

The last five years have shown the city that a public utility without a franchise has many advantages that a utility with a franchise cannot enjoy. It is independent of city control and can do as it pleases.

If a satisfactory agreement can be reached, a franchise will doubtless be granted soon and street car service will continue. If not, then it is probable that either a substitute means of transportation will be found, or the city will venture out upon municipal ownership of the street railway.

CLEVELAND'S EFFORT FOR CITY-COUNTY CONSOLIDATION

BY C. A. DYKSTRA

Secretary, Civic League of Cleveland

Each year sees just a little more attention turned toward county government, "the dark continent of American politics." In Oregon, Utah and Ohio efforts were made in 1919 to dispose of county governments that overlapped municipalities, the Ohio campaign being the most important. :: :: :: :: :: :: :: ::

RESTING peacefully in the silence of the Ohio senate's committee on constitutional amendments sleeps the county home rule amendment known as senate joint resolution no. 24. The committee's watchful care prevents any intrusion or disturbance. No movement or motion which might by some chance waken the sleeper is tolerated in its vicinity. For reasons which will develop as the story proceeds it is presumably an evidence of statesmanship at this time to "let sleeping dogs lie."

For several years there has been a healthy interest in a number of Ohio cities in a movement for the consolidation of local governments. This proposal originated in and is most demanded by the city of Cleveland. The voter's organization, known as the Civic League, after years of intimate acquaintance with the problems of local government in the city and county came to the conclusion that the vital public interests of the whole community would be advanced if there were fewer governments and a larger degree of local autonomy. At the same time the voters' burden would be lightened and the activities of the league itself immensely simplified. The Civic League therefore committed itself to the so-called city-county consolidation program and launched an amendment to the state constitution in the Ohio general assembly of 1917. This amending resolution passed the senate but succumbed to the operation known as "indefinite postponement" in the house.

THE 1917 PROPOSAL

Since the 1919 resolution is more comprehensive than the 1917 proposal the earlier amendment should be here introduced as exhibit A. It provided, in brief, for an addition to the municipal home rule section of the constitution, to be known as section 15, which permitted counties containing a city of more than 100,000 inhabitants or any portion of such counties to consolidate the local governments within such area into one municipal government by the process of charter adoption provided in the resolution. The procedure included a 10 per cent petition filed with the court of appeals, a court hearing, the establishment of boundary lines and then a referendum within the limits so established. A three-fifths majority of those voting on the question was required for ratification. In the event of ratification the charter was to be framed in the manner provided for in home-rule cities—by an elected commission of 15 members. The new district thus created was to be declared a county for the performance of state functions and a home rule city as well.

THE 1919 PROPOSAL

Exhibit B is the proposed amendment referred to above as senate joint resolution no. 24—the one now resting in committee. This proposal attacks the problem from the county rather than the city angle. It adds a new article to the constitution to be known as article xix. It attempts to provide four things:

1. Home rule for any county which frames and adopts its own charter. Under this provision counties would be free to establish commission or commission-manager government or any other form if they wished to take the trouble to do so.
2. A consolidated government in counties of 200,000 which elect to proceed under section 2 of the article. Such counties may wipe out any or all of the present political units and establish in their stead "a unified government over the entire county" with boroughs or assessment districts as may be most convenient and equitable.
3. Machinery to make the amendment self executing through the ordinary election officials and not the courts.
4. The consolidated governments become both a city and a county—not through annexation by the city or absorption by the county but through the creation of a new type of political unit by the conscious effort of a relatively homogeneous community.

The Ohio Proposal is a recognized effort to abolish arbitrary political boundaries and summon all of the community resources, human and material, to the common task of community endeavor.

THE CAMPAIGN AND ITS BACKGROUND

The movement for county home rule and permissive county consolidation rests on certain fundamental considerations and the case is well documented. It is apparent to thoughtful citizens throughout the state that the legislature cannot know local county problems. Moreover in trying to deal with them it is constantly confronted by the constitutional restrictions upon special legislation and the requirements as to constitutional county officers. This means a general law of county organization. Counties must have auditors, treasurers, sheriffs, coroners, commissioners, and so forth, whether they need them and want them or not. Counties with 20,000 people must have the same governmental equipment that a county of a million souls has. The ordinary citizen wonders why he must run a Pierce-Arrow on a Ford income if a Ford will do the work. Without question the present county organization could be simplified to the advantage of many counties and revamped in the interest of many others. Thus the case for county home rule or at least a constitutional rule which will allow the legislature to frame optional charters for counties is theoretically and practically sound.

Many sections of Ohio have become quite thoroughly industrialized. In these sections the business of county government is no longer the care of agricultural and rural interests. County problems in these communities are rapidly taking on the character of city problems—health, congestion and housing, police and fire, scientific transportation and road problems and the like. The old typical county machinery was not devised to meet these modern conditions. It has, therefore, been necessary to create many municipal corporations within such counties, to care for the rapidly expanding public interests of these communities. The result in such counties as Cuyahoga and Hamilton, for instance, is a group of separate unrelated political districts each engaged upon solving certain common problems in their own way and from their own point of view. The several municipalities in Cuyahoga, for example, deal with the Cleveland railway company through separate franchises. These, however, must be agreed to by the Cleveland city council under the provisions of the Tayler grant. At this present moment this city council is being asked to ratify the Lakewood ordinance which guarantees the 3-cent fare within that city—a fare which the greater city cannot enjoy because of the rising cost of transportation. East Cleveland enjoys a 5-cent fare to the Public Square because no transfers are needed. Citizens of Cleveland who ride only half as far as East Clevelanders or Lakewoodites but who must transfer on a cross town line pay a penny for transfer. Thus within the greater city there are in force several rates of fare made possible by the present political divisions and curiously enough it is the citizen of the congested district who suffers by the arrangement since he pays a portion of the fare of the long distance traveler who lives in suburban territory. The same difficulties of administration appear in dealing with other utility problems. These metropolitan districts are perforce creating a "twilight zone" certain to make trouble as congestion increases. The evil of too many governments, in a sense competing with one another, must be met and solved in these populous and municipalized counties.

A third fundamental to be kept in mind is that as government costs rise such savings as can be made by reducing overhead expenses become mandatory upon metropolitan areas. We can no longer enjoy the luxury of tiny independent governments since public improvements dip into our treasuries with insistent demands. Office expense is exceedingly heavy in popular government. No ordinary business could pay the interest and rent charges common in public affairs and escape bankruptcy. Too much public office space is but half used, too many clerks and secretaries are lonesomely putting in short hours, too many supervisors are not busy enough to be effective and too much public equipment of one kind or another is in service for part time only. Co-operative use would be time-saving and money-saving, and at the same time would relieve a good deal of boredom in the public service and the tops of many desks, of feet. There is little more reason for separate and independent governments within a relatively homogeneous area than there is for several competing water, light or telephone services. It is just a little harder to see the logic of this reasoning because we attack political problems with closed minds. We were taught that popular government is expensive and inefficient and are quite accustomed to pay the price. It has long been considered axiomatic that democracy is worth its money costs. The contention that even a democratic government can be made efficient is a political heresy. But heresies gradually tend to become orthodox and it is the hope of many students of politics to-day that by dint of reiteration the idea of public efficiency may become a canon of democracy.

We are also developing in these latter days a sense of community responsibility. Competition is giving way to co-operation whether we like it or not. Our liberties and our lives are bound together for better or for worse—municipally, nationally and internationally. No Chinese wall can be built about any people in this day. And just as no nation can be indifferent to the fate of a neighbor so no man can escape his large responsibility by moving across a boundary line. What the mother city needs and does is of fundamental importance to the so-called "satellite cities." The slow crowding out of city residence districts of those who can afford the freedom and air of the suburbs is a process going on in all metropolitan centers. In the course of time this process leaves within the limits of the old political city only those who for economic or social reasons cannot get out. By the same token this process tends to leave the political control of the immense problems of the congested city in the hands of those who know how to deal with the new cosmopolitan voters who make up the industrial workers. It develops the class of political leaders who have made politics a byword in American life. Gradually we are recognizing this fact and beginning to believe that no one in the community can evade his responsibility by declaring that his allegiance is due only to the small select group he is helping to develop just over the line. Educational, health, recreational and general police needs of the whole community are the care of everyone who is a part of the community. Democracy can thrive only through the process of sharing burdens. It demands a leadership denied to it in many metropolitan districts, because of artificial boundary lines.

Upon such fundamental considerations as these rests the psychology of the consolidation and county home rule proposals in Ohio and particularly in Cleveland. The practical and economic arguments are self evident from a recital of just a few facts. Cuyahoga county has at the present moment 93 political units. These elect more than 800 public officers. Within them there are appointed more than 10,000 additional officers. There are 78 elective bodies determining policies, 35 elected mayors executing policies, 52 elective treasurers, and so on. The bill for wages alone in 1917 was $8,139,942. About one half of the county area is included within municipalities; 98 per cent of a population of approximately 1,000,000 is. The city of Cleveland is hemmed in on practically every boundary by incorporated suburban cities and villages. It cannot direct its own future growth but must leave that problem to the mercy of contiguous cities. New allotments are developed and exploited with little regard to the street arrangement, the sewer system, and the boulevard and park development of the larger city. The transportation, water, light, health and public safety problems are common concerns but are handled separately, while functions are being duplicated and effort is therefore wasted. It is believed that consolidation in this county can affect some such savings as Denver has experienced under its new unified system —some 20 per cent. This would amount to a substantial sum in a community that raises more than $25,000,000 annually in taxes, one third of which is spent for wages.

PUBLIC SENTIMENT

Within the city of Cleveland there is a very strong feeling that the suburbs ought to be a part of the larger city. To many the idea of annexation appeals. The city council recently passed a resolution calling upon the legislature to simplify the process of annexation so that suburban territory can be forced unto the city without the consent of the suburban districts affected. The general feeling which is back of such a demand proceeds from a belief that suburbanites are enjoying advantages paid for by the city taxpayers and, second, the typically general American desire to bulk large in the census reports. But those who back the consolidation idea are looking further than any annexation process contemplates. They want a new deal in local government with an organization determined upon after a careful survey of community needs. They want a single unified government over the political district now included within the county lines. This new district must be county-wide because of practical and constitutional reasons which in fact would prevent the division of the county into urban and rural territory.

Annexationists pure and simple will probably back almost any consolidation proposal. Those who oppose annexation are, of course, usually against consolidation. Many suburbanites consider the movement as a direct violation of the principle of self determination. They believe that public affairs are better administered under the present arrangement. They allege that their schools will suffer and their taxes will rise under a consolidated government. They want to be left alone to spend public money as they please. They do not want to be dictated to by majorities created within the city—"to be swallowed up"is the phrase. There are minorities of varying strength in the different political divisions who declare that this opposition is selfish and short sighted. Only an election can determine the strength of either group. Most people agree, however, that it is merely a question of time when merger will come. Those who oppose hope to put off "the evil day" as long as possible.

THE PROGRAM AND POLITICS

The proponents of S. J. R. 24 have attempted to avoid any dabbling in party politics. The resolution was introduced by a member of the Cuyahoga county delegation in the legislature. This delegation of 17 members are all Democrats and in the minority at Columbus. The governor is a Democrat. The city administration is Republican and the county offices are held by Democrats. The proposal has, therefore, aroused certain party comments and attitudes. There seems to be a feeling in Democratic quarters that since the suburbs are strongly Republican and the city normally Democratic the Republicans will profit by the merger in the new organization. The present county administration is accounted for, they say, by local considerations, one of which is that the Republican organization has won for the time being the support of the liberals—liberals meaning "wets" in spite of the fact that officially the Republicans are the dry party. The resolution does not have the official endorsement of either party and it is mere speculation to guess at party influences one way or another. Prominent Democrats and Republicans have pushed the proposal as individuals. A majority of the Cuyahoga delegation in the general assembly will support the resolution if given an opportunity.

The question then naturally arises as to why the proposed amendment is kept in committee. Senator Angew, who introduced S. J. R. 24, is chairman of the committee. Three hearings have been held on the measure and a majority of the committee favor reporting it out for passage. The house committee has agreed to support it instead of a "commission government" amendment for counties which was introduced in the lower house.

Senator Agnew gives two reasons—that the lower house will never pass the resolution and he would rather not report than have it defeated, and, second, that the Cuyahoga senatorial delegation is split on the question and the situation is, therefore, embarrassing. Neither of these reasons seem sufficient to the proponents of this measure. The feeling that the lower house will refuse to concur arises from the attitude of the state grange which is on record that consolidation will be hurtful to the farmer's interests. This, of course, is mere assertion and is not susceptible of proof. As a matter of practical politics no county in the state for years would probably take advantage of the consolidation possibility except Cuyahoga and this county is at present 98 per cent urban. The writer is inclined to believe that if a fair fight could be staged in the legislature the proposal would win, for the home rule provision of the amendment would attract many votes. He is, therefore, almost forced to the conclusion that there is a difference of opinion in Democratic circles in Cuyahoga county as to what consolidation might mean politically. It seems to be taken for granted that the people would vote it up if given a chance. It seems wise, therefore, to allow the proposal to sleep.

It must be said in explanation of the seeming lack of interest in this amendment at Columbus that the assembly has been harassed by two problems of great importance—the matter of "dry" legislation authorized by constitutional amendment, and the question of financial relief for cities and schools. Both questions have been bitterly fought over and the situation has been aggravated by the governor's persistent use of the veto. The legislature has recessed and reconvened until the members are quite out of patience with almost every conceivable legislative idea. To be brought together for the fourth time in the middle of June seems a nuisance not contemplated during the campaign last November. This consolidation proposal has, therefore, met with hard sledding. It is possible that at the session to be called after the coming November elections some real progress may be made in getting the measure discussed on its merits on the floor of the assembly. Meanwhile consolidationists will continue the process of education, hoping that they are right who say that education is the process of democracy.

HONK-HONK AND KLAX-AX-AX-AX-AX!

BY ELMER S. BATTERSON

Some reflections by a Chicago citizen on the modern automobile horns that seek to outdo each other as earsores and on the theory of some automobilists that the pedestrian's duty is to jump. :: :: ::

I

When the first automobiles, with all their crudities, were seen upon city streets, to many of us came the dream of a future time when, with the general use of motor-driven vehicles, much of the prevailing city noise would be eliminated. It was believed that the heavy truck wagons with iron tires would soon be replaced by motor trucks with pneumatic or solid rubber tires and the granite pavement blocks would logically be replaced by some paving of smoother surface and better adapted to the new type of vehicles.

While the machine parts of the first passenger automobiles were very noisy, it could easily be foreseen that the efforts of engineers would at once be directed to the construction of motors which would run more smoothly and the designing of types of chassis which would practically eliminate jarring and rattling. It was foretold that the ceaseless clatter of horses' hoofs would some day be no longer heard and that the air would be no longer rent with the noisy swearing of angry drivers in trying to make the horses understand their wishes.

In some ways, these dreams are being realized. The coming of the practical motor-driven vehicle has furnished the greatest impetus for good roads and for better city pavements. The providing of smooth surfaces for automobile traffic is now regarded as a public necessity from the standpoint both of economy and public comfort. The number of horses used for trucks on city streets is constantly growing smaller and instead we find the easy running electric delivery cars and the ponderous gasoline driven trucks while lighter weight motor delivery cars are seen everywhere. With each advance in the designing and construction of the passenger automobile, attention has been given to the reduction of friction from every known cause so that now, as far as operative machinery is concerned, the automobile may be considered as practically noiseless when operated in the usual way.

II

But has the coming of motor-driven vehicles helped toward attaining a quiet city? We are forced to acknowledge that it has not, for the most casual investigation will convince that, wherever automobile traffic is greatest, there will usually be found the most noisy streets. We may have rebelled at the objectionable noises caused by horse traffic upon congested streets where the rattle of heavy wagons on rough pavements compelled the drivers to raise their voices in directing their teams but the noise thus produced was never as loud or as irritating as that pertaining to the present motor-driven traffic.

Why this great racket and is it a necessary accompaniment of progress? Nearly all of the objectionable noise comes from the sounding of loud raucous horns used presumably as signals of warning to prevent dangerous accidents, but cannot the turmoil be reduced without diminishing the efficiency of present traffic facilities or endangering the lives of motorists and pedestrians?

The state laws and the ordinances of cities require that some sort of warning signal be placed on motor-driven vehicles and motorists have been careful to comply with these regulations. Nearly all the laws are similar in that they require the signal to be sufficiently loud to serve as a note of warning but the motorist is forbidden to use the signal for making any unnecessary noise. The nature or strength of the required signal is not often defined so there have come into use many varieties of hand and electrically operated horns, gongs and bells of all degrees of noise producing possibilities. Beyond the point of securing the installation of a signal device, the law appears to have little concern, the operation and character of the device being left almost entirely to the will of the automobilist.

On the part of the manufacturers of automobile warning signals, however, there has been a noticeable unanimity of action; each has apparently striven to produce a device at once the loudest, the most raucous sounding and the most startling of any on the market. Here are some extracts from recent advertisements of manufacturers in setting forth the effectiveness of their auto-horns.

"Is the loudest signal of its kind on the market."

"Has the far-reaching call for country roads—the quick, snappy shriek for city traffic."

"Produces a long, clear and insistent warning which cannot be unheeded."

"Even a weak little buzzer or an old time bulb horn sounds big and commanding when demonstrated indoors. Motorists are demanding for their life's sake a signal that sounds sure safety out in the din of the traffic."

"Makes a noise that clears the way half a mile ahead."

"It doesn't make pretty music but—it warns. Its clear dominant note crystallizes the hesitant pedestrian's thought—it makes him move."

"It jolts the air with a threat of danger, sharp and insistent."

"Gives a greater volume of sound than any other similar alarm."

"Has a piercing 'get-out-of-the-way' sound."

"It demands attention and right of way."

"Can be heard further than any object can be seen on a country road. Sound is not objectionable to occupants of car because horn throws it way ahead."

In illustration of the common disregard of public comfort which has been so evident in the evolution of the auto-horn, might well be quoted the words of a writer on automobile topics in a prominent American magazine. In discussing various types of automobile signals, he says: "Along with the old reed horn came the electric bell and the shaft driven siren. These signals had precisely the same fault as their contemporary; they had not nearly enough power and no distinct raucous sound." In describing some new types of auto-horns, he says: "There is scarcely one of these that will not make itself felt at least three-quarters of a mile away over all the other noises of city streets. . . . Power of this kind is essential in an automobile horn. Its warning must reach the ear of everyone who may possibly be in the way long before the car arrives or is even in sight and its sound must not only be distinctive, but half terrifying." In discussing the qualifications of the "model" auto-horn, the same author says: "The sound of the signal horn, experts in its manufacture agree, must be short, harsh and sharp. Its tone must not be musical, because musical tones lull and soothe. It has to alarm and get the man or woman who hears it 'back to earth' instantly."

The advantages claimed by the manufacturers for their particular horns have apparently had their appeal with motorists for an investigation upon kinds of signals most generally used shows that the loud, startling, raucous type of horn is in greatest demand. Motorists have shown no tendency to disobey the law as far as effectiveness of signal is concerned even though in the use of the horns they violate several other laws which are upon the statute books. Fortunately, in most cities, the municipalities have reserved to themselves the right to use exclusively the siren horn which is probably the most nerve-racking of all automobile signals. When we are aroused by the blasts of one of these shrieking devices called very appropriately "deviline" whistles we may assume that it is not being sounded by a careless joy speeder but is being used to prepare a path for fire fighting apparatus or for some other emergency purpose.

Of all persons, the motorist should feel it necessary to inform himself fully concerning the laws relating to the use of public streets and highways and also the accepted "laws of the road" by which every driver is supposed to be governed but we find that the average motorist is a confirmed law breaker along lines where he himself is in need of greatest protection.

III

Much of the trouble comes from a mistaken notion concerning the rights and privileges of the motorist in his relationship to other legitimate users of public thoroughfares.

The ability to produce high speed, either on general principles or in enacted laws, gives to the driver of the high speed vehicle no special rights over the slower-going user of a public way. As a matter of fact, the reverse is often made the rule. In a number of cities, the traffic regulations give preference to a horse-drawn over a motor-driven vehicle as to right of way and a search has failed to find any city where the automobile is presumed to have any rights over the pedestrians in the use of street crossings. Apparently, the motorist takes it for granted that he is entitled to the right of way over slower vehicles and over pedestrians at street crossings and consequently he starts sounding his horn when almost a block away from the crossing so as to assure for himself an unobstructed course. To avoid danger, those for whom the blasts are intended usually give good heed to the motorist's commanding signal even though they may be aware of their own legal rights in the matter. Thus, much of the noise caused by the motorist is through disregard not only of legal regulations but also of the rules of common courtesy. Were the motorist willing to take his proper turn in the use of a street crossing there would be no more need of the blasts of the auto-horn than it is necessary for pedestrians to shout the fact when they wish to avoid a collision in turning a street corner.

The traffic regulations of most municipalities definitely limit the speed of motor vehicles while passing through the built-up parts of the city. The speed allowed is, in most cases, not over fifteen miles an hour and at such rate there is little danger to drivers or pedestrians as there is ample time to avoid collisions even though one be threatened but the motorist, having used his auto-horn to assist in disregarding ordinary rules of courtesy in dealing with other users of the public way, finds it easy to go a step further and use the blasts of his horn to break the speed laws without much danger of serious accident. So when he sounds the horn which may be heard for half a mile, he intends to give warning that he is going at a high speed and expects to continue at that pace. It is quite noticeable that loud blasts of the auto-horn do not appear to be needed when the motorist approaches the traffic officer whose duty includes the enforcement of the speed laws. The speed limits as now named in city ordinances are, in many cases, too low for practical purposes and in many cities a higher limit is tacitly understood to be allowable although without legal sanction. Such a condition is unfortunate and should be remedied. The legal speed limit should be reasonable and then all traffic rules should be strictly enforced.

IV

There is one clause in many city traffic regulations which motorists often disobey and the existence of which is probably not generally known. This relates to reducing the speed of the automobile at street crossings regardless of whether or not danger is threatened. The clause usually provides that the speed of a motor vehicle, in passing a street crossing, must not exceed one half the speed allowable on the balance of the course. Possibly, so radical a traffic rule along this line is not desirable but it is certain that there would be little need of the auto-horn if this regulation were strictly enforced. In a recent magazine article, a writer on automobile topics compares the modern high power automobile to a railway passenger train and makes a plea for more legal provision so that the motorist may have a clear path and opportunity for speed without the annoyance of having to stop frequently to avoid impending danger but, in making the comparison, the author forgets that the railway train runs on its own private right of way while motorists use the public highway upon which it is presumed no special privileges are extended.

While condemning the motorist when he becomes a law breaker, no mercy should be shown the careless pedestrian who crosses the street in the middle of the block or the children who heckle the automobile driver in numerous ways and make the sharp blasts of the auto-horn a real necessity to avoid serious accident. All offenders along these lines should be brought within reach of the law but there is this to be said, that the offenders mentioned are most at fault in risking their own lives and do not often directly cause the whole community discomfort because of their misdeeds. The motorist, in attempting to break the traffic regulations, finds the loud raucous horn his best safeguard against dangerous consequences and the entire neighborhood for many blocks distance suffers as a result. One motorist occasionally causing a severe strain on our nerves might be forgiven by the general public but when the practice of needlessly sounding the auto-horn becomes general, as the tendency now seems to be, there is good reason to believe that some curb upon auto-horn noise will soon be necessary.

V

In adopting ordinances relating to automobile equipment, cities have usually set some standard to which motorists are compelled to conform. This is true concerning the dimming of lights, the height of rear lamps and the position of fenders but, in passing ordinances relating to auto-horns, the requirements have usually been only general. The automobile owner is allowed to be the judge of whether his warning signal is sufficiently loud to warn and sufficiently weak so as not to unnecessarily annoy. It may seem like carrying too far the idea of censorship but if the public is to be properly protected from the unnecessary noise of auto-horns, there should be some limit placed upon the disturbing possibilities of the horns. The musical notes, as often proposed, are probably not practical for general use but there should be some regulations so that making one's home on a boulevard, devoted largely to automobiles, may not be classed as a punishment. If it is possible for one person or a commission to say what is a proper moving-picture film, it is certainly possible to place some proper restriction upon the sort of noise-producing instrument which may be used upon public streets and highways.

Observation will show how slight a sound is necessary as a warning after we become accustomed to a gentle kind of signal. Teamsters have found that the attention of pedestrians can easily be secured by sounding with their lips simply a low whistle which probably can not be heard for more than a few rods but which well serves in place of a noisy gong or horn. The practice now employed by motorists tends toward the use of louder and still louder horns in order to be heard above the general din of traffic, the motorists not seeming to realize that the endeavor, by means of startling noise, to solve their individual problems constantly makes the general problem more difficult of solution.

It will be remembered that, when the bicycle first appeared, people insisted and ordinances provided that all bicyclists should use warning bells at street crossings. The bicycle inspired a feeling of awe and of danger and it was thought that the bicycle bell would contribute to public comfort but, as soon as bicycles became common and came to be regarded as any other vehicle, people began to complain of the noise of the bells and the confusion which they caused. As a result, many cities passed ordinances prohibiting the use of such alarms. The cyclist then ceased to be a privileged user of the public highway and was compelled to show proper regard for other legitimate users of streets and roads. With noise conditions as they are at present and constantly growing more troublesome, it is not difficult to imagine the automobile going through a similar history and its noise coming to be regarded as a public nuisance. In the brief history related to bicycle noise there should at least be food for serious thought on the part of auto-horn manufacturers who are attempting to produce devices with greater noise possibilities.

THE CONNERSVILLE "SLIDING SCALE"

BY ROBERT D. ARMSTRONG, M. A.
Librarian, Public Service Commission of Indiana

Despite the fame of the Boston arrangement with its gas company permitting higher dividends as a reward for lower rates, it has been very little copied and the Connersville (Ind.) electric light case is only the second instance of the adoption of the principle. :: :: ::

AFTER a trial period of approximately eighteen months, in reviewing its previous order establishing a "sliding scale" relationship between the rate of return and the rates to be charged by the Hydro-Electric Light and Power Company of Connersville, the Public Service Commission of Indiana has affirmed the principle and with certain modifications of detail, has continued it in operation.[1]

The essential feature of the system as first prescribed by the commission on October 29, 1917, was that, starting with a certain schedule of rates which was estimated to yield a return of 6.5 per cent on the value of the property, any future revisions of the schedule should be automatically connected with the rate of return allowed to the company. It was contemplated in the original order that whenever rates should be reduced 10 per cent, the utility should be allowed an additional .5 per cent return, and conversely, whenever rates were increased 10 per cent, the rate of return allowed the utility was to be reduced .5 per cent.

In reviewing this original arrangement, on June 3, 1919, the commission put the proposed "sliding scale" into effect by reducing the rates of the company approximately 10 per cent, and allowing to the company a rate of return under those rates of 7 per cent. At the same time, the "sliding scale" was revised, so that in the future instead of a reduction of 10 per cent, a reduction of only 8 per cent will be necessary for the additional .5 per cent of return, and conversely, an increase of only 8 per cent will be sufficient to reduce the rate of return .5 per cent.

At the end of the trial period, as the result of economies in operation and of some rather fortuitous circumstances, the commission was confronted with the fact that the company had a balance of approximately $10,000 for the year, in addition to the contemplated 6.5 per cent return. To meet this condition, the commission extended the "sliding scale" system by creating an Excess Earnings Fund, into which all gross income above the rate of return allowed should be paid, and from which should be made up possible deficiencies in gross income below the rate of return allowed.

REGULATION IN GREAT BRITAIN

The "sliding scale" relationship between return and rates, while well known and quite prevalent in Great Britain, is comparatively unfamiliar in this country. For this condition there is a historical explanation. Both in Great Britain and in the United States restrictions on public utility companies were originally imposed by franchise only. In Great Britain these franchises were granted chiefly by special acts of parliament, or by orders of the privy council, while in the United States in the main they were granted by municipal corporations. The fact that nearly all franchises in Great Britain came from a common source, lead to a large degree in uniformity in their provisions, while the fact that franchises in this country were granted by the countless local municipal corporations, lead to great diversity.

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[1] Both orders have been printed and copies may be obtained from the commission on application.

The system in vogue in Great Britain was conducive to the working out of a general policy. Since this policy had to be embodied in a franchise, which presumably would hold for a considerable length of time, it was desirable that rate provisions should be as nearly automatic as possible, and adaptable to changing circumstances. Hence the "sliding scale" relationship between the rate of return and rates; if rates are too high, it is to the interest of the utility to bring them down in order that it may have more net income available for return on the investment; if operating conditions are inefficient, it is to the interest of the utility to rectify them, for the same reason.

REGULATION IN AMERICA

In the United States, however, the diversity of franchise provisions led to a radical departure from the franchise system of controlling public utilities. Beginning with the establishment in the early eighties, of the boards of gas and electric commissioners in New York and Massachusetts, and especially since 1907 when the Wisconsin public utility act was passed, the trend has been toward a system of regulation by commission, the essential feature of which is to give large discretionary powers over rates, service, etc., to central commissions and to leave them free to deal with conditions from time to time. This elasticity is the essential feature of regulation of public utilities, as compared with the contractual method of control.

It has become a cardinal principle of commission regulation, that a utility is entitled to earn its operating expenses, including taxes, a fair return on the value of its property and a reasonable allowance for the depreciation of its property. Applied intelligently and with due allowance for efficiency and inefficiency of operation, no exception can be taken to this formula. But human nature being as it is, it is too much to expect a public utility company to strive as hard to promote economies in its management, when it knows that it is entitled to rates sufficient to reimburse it for its operating expenses, as it would strive under a system by which any economies that might be effected would inure to its own benefit. While it is true that commissions may, and often do, refuse to make allowances for operating expenses which are unduly high, this is a punishment, which occurs after the offense is committed and after the money is gone, and is by no means a preventive of extravagance or inefficiency.

ADVANTAGES OF THE SLIDING SCALE

Consequently one of the legitimate criticisms of commission regulation of public utilities is that to some extent it fails to provide the proper incentive to efficiency and economy of operation. It can punish, reward and order, but it cannot so gain control of the will of the operator that it will make him desire to promote efficiency and economy as keenly as if the benefit thereof would be his alone, and not that of the public. And the "sliding scale" relationship between return and rates establishes just this incentive.

Another advantage of the "sliding scale" is that it is elastic, in fact almost automatic, in its operation. Under the operating conditions that exist today, the basis of rate calculations is upset almost as soon as rates become effective. Commissions are constantly called upon to readjust the rate level. These readjustments present vexed questions upon which the public and the utility are apt to differ with some bitterness. One of these questions is the return to be allowed the utility above the cost of operation. That it should not be the same under both normal and abnormal conditions is generally admitted. But the principles which should control this question are not easy to determine, and Commission practise in general is not based on any clear cut principle.

The "sliding scale" provides a principle, and one under which the interests of the utility harmonize with those of the public. Beginning with a schedule of rates estimated to yield a definite per cent of return, it provides that any deficit or failure to meet that return shall be provided partly by an increase in rates and partly by a decrease in the rate of return for the future. Conversely, it provides that any surplus above that return shall be distributed in the form partly of reduced rates and partly of increased rate of return for the future. In other words, if operating costs are too great to maintain both the existing schedule of rates and the existing return to the utility, they are met by increasing the one and decreasing the other; both the utility and the consumer share in meeting the new level, and according to a definite plan laid down in advance. This promotes co-operation and reduces friction between the utility and its patrons. The commission simply gives effect to the system of adjustment agreed upon in advance.

Operating costs are not likely to fluctuate widely enough to absorb all the return or to permit it to become inordinately great. Only in extreme cases would such be the case. If the operating expenses of the Connersville utility under the first schedule of rates had necessitated an increase in rates of 20 per cent, the return of the utility would only have shrunk to 5.5 per cent, an amount not unreasonably low during the war period. However if permanent increases in operating costs should occur to an extent that would wipe out return, the system could be adjusted to the new operating level by providing a new basic rate of return and a new schedule of rates.

If the increases are only of a temporary character, the "sliding scale" system with its Excess Earnings Fund would prevent any violent fluctuations in rates. A deficit one year would be offset by a surplus the next, or *vice versa*. This would be far better than periodical and violent revisions of schedules to fit rapidly fluctuating operating conditions. This elasticity is one of the principle advantages of the system. Whether rates are readjusted rapidly or only gradually, the system would insure full justice to both utility and consumers, for the condition of the excess earnings fund is the barometer for future readjustments.

The chief danger of the "sliding scale" is that maintenance may be deferred, and the property "skinned," in order to make a showing. While it is not known to what extent this may have been the case in Great Britain, a little reflection will make clear that it is a very real temptation to the operator. However, if the system is supervised by a commission with an expert staff of engineers and accountants, there is no reason why this cannot be prevented and adequate maintenance enforced. Supervision of this character is one of the essential safeguards of the system.

APPLICATION TO CONNERSVILLE

Ever since Mr. E. I. Lewis became chairman of the Public Service Commission of Indiana, it has been his ambition to apply the "sliding scale" relationship to some Indiana utility to which it was properly adapted, with a view to determining its desirability as a general policy. Mr. Lewis' interest in this question is of long standing, for in 1902 as special correspondent for the *Indianapolis News*, he had investigated systems of regulation in use in Great Britain, especially the "sliding scale" system, with the object of assisting in the formulation of the policy of the city of Indianapolis toward its gas problem, which was then acute.

Many considerations pointed to Connersville as a desirable place for the experiment. It is a rapidly growing industrial community, with a population of between 15,000 and 20,000. The Hydro-Electric Light and Power Company had been organized only a short time. It was the result of a merger between two electric utilities which had been competing for business in the community. This competition had caused a savage rate war, with rates insufficient properly to maintain the properties. The merger was accomplished in order to save the life of the utilities. Here, then, was a practically fluid situation, where an abrupt break with the past was absolutely necessary, and a radical readjustment of the rate basis would consequently have a fair chance of success.

SUCCESS OF PLAN

It is too early yet to pronounce with finality upon the success of this experiment. However it can be stated with certainty, that so far it appears to be an unqualified success. By this system, the interests of the consumers and of the utility are made identical. Every economy, every increase in efficiency, redounds equally to the benefit of both. It is essentially a "service at cost" plan, with the added advantage over other such plans, that a great incentive is supplied for the reduction of the cost.

These theoretical advantages of the plan seem to have been measurably realized in practice. In its order of June 2, 1919, the commission found occasion to commend the company very highly for a number of economies effected during the year. Other economies are proposed, among them a more efficient method of handling coal by machinery. The year's operations have resulted in a surplus over the 6.5 per cent return of $9,136.25, or 1.8 per cent of the value of the property. These circumstances have made possible the first application of the plan, by reducing rates approximately 10 per cent and increasing the rate of return allowed to 7 per cent. The surplus goes into an Excess Earnings Fund, which will be available in case rates fixed in this revision fail to earn the contemplated 7 per cent return.

It will be extremely interesting to see whether another application of the principle will be possible within the next year or two. The rates now enjoyed by Connersville are very favorable as compared with those of like communities. Another application of the "sliding scale" relationship will give Connersville a distinct preferential advantage. And both the utility and the community will benefit by this application, if the results of operation under the new rates will warrant it.

THEORY AND PRACTISE

Practically, of course, the success of the plan depends very largely upon two things:

(1) The adequacy of the first schedule of rates to earn the contemplated rate of return.

(2) The ratio of the percentage of decrease or increase in rates, to the percentage of increase or decrease of rate of return.

These are practical details which in no wise affect the principle, but must be worked out in order to give it effect. The first is comparatively easy, for it is what commissions constantly do. The rates are more likely to yield more than the specified return than less, as witness the Connersville situation itself, because of the incentive to economize in order to increase the rate of return to which the utility is entitled.

The second can be ascertained only by experiment. If the ratio is too great, the system will not work well, for there will be violent oscillations of the pendulum, without any possibility that it will come to a rest. If the ratio is too small, any adjustment will be by such small degrees and will be extended over such a period of time, that before one maladjustment has been disposed of, another will be created. Consequently, if the ratio is incorrect, the system will constantly be out of adjustment. The commission has already modified this ratio in its recent order and instead of the ratio of 10 per cent to .5 per cent provided in its original order, has provided a ratio of 8 per cent to .5 per cent. The next year's operation under the new Connersville rates will furnish the first experimental basis for passing on this ratio, because for the first time the "sliding scale" relationship has been given effect. The original order, of course, did not give it effect, but merely provided that it should be given effect under certain circumstances.

IMPORTANCE OF THE EXPERIMENT

The Connersville plan will be watched by commissions and public officials all over the country with much interest, in the hope that it will afford a solution to a perplexing problem. Somehow or other, the incentive to efficiency and economy must be supplied. It is to be feared that the present system of commission regulation does not supply it sufficiently. If commissions can devise some scheme for accomplishing this purpose, which, while automatic, will have the added advantage of their expert supervision, they will have made a great contribution to the development of a real science of public utility regulation.

The "sliding scale" system has been applied in Boston to the gas utility, and in Cleveland and Cincinnati in part to street railway utilities. So far as known, this is its first application to an electric utility. The Public Service Commission of Indiana plans to apply it to other utilities at the first favorable opportunity, should the system prove successful.

LETTING CITY-MANAGER CHARTERS GROW

LENT D. UPSON

Director, Detroit Bureau of Governmental Research, Inc.

Most public spirited citizens believe that the principal means to good city government is a new charter. A city-manager charter is rightfully preferred because to an effective organization it adds the easy possibility of securing efficient officials, modern business methods, and an intelligent citizenship.

To justify this faith, city-manager charters must grow,—building on the experience of early experiments and incorporating the expanding ideals of city government.

Does the present fund of experience indicate that important changes in present charters are warranted?

THE LEGISLATIVE BODY

If results point to a serious weakness in the present city-manager plan, it is in the method of electing a council at large. Two reasons are advanced for the partial failure of this plan. First, prominent business men, inveigled into becoming candidates in "at large" elections, do not always make the best members of a city council. They are honest and usually above playing cheap politics, but frequently are too busy to give proper attention to their jobs, or do not have a natural aptitude for public affairs.

Second, elections at large frequently leave slightly less than half the voters of a community unrepresented. A typical example comes from Dayton. In 1917 the non-partisan ticket polled approximately 17,000 votes against 14,000 votes polled for all other groups, and non-partisans filled all vacancies in the city council. This left almost 45 per cent of the citizens of Dayton without representation,—and robbed the majority of the moderating and stimulating influence of a critical and active minority.

Some communities have turned to proportional representation as a solution for these difficulties. The experiments are too recent to be conclusive, but the councils chosen under this plan have certainly been representative. This very representativeness has been the single source of criticism by those not accustomed to counseling with the minority. In Ashtabula, a foreign saloon keeper of an unlovely type defeated a candidate of some character for a place in the council. But even the enemies of proportional representation conceded that this saloon keeper more nearly represented a section of the city's population than did his competitor, and the present council is admittedly a cross-section of the community's social and economic life.

The situation is repeated in Kalamazoo. Following the election, the "better element" was disgusted to find the socialist publisher of a gibing, irritating journal chosen to sit with exemplary citizens in formulating the community's political and social policies. Not a nice situation to be sure, but perhaps this man's radical and innovating counsel, and the necessity that he assume responsibility for a share in legislative action, is more to be desired than that he be made to stand outside, reasoning without facts, blaming without cause, criticising without responsibility, and breeding discontent with a dangerous fecundity.

Further experimentation will indicate whether minority representatives will work with the city manager rather than merely being obstructionists, and whether there will be a moderation of minority demands on account of shared responsibilities, and a resulting popularization of the government.

DEPARTMENTAL ORGANIZATION

Following early precedents many cities centralized all city activities within five or six administrative groups,—law, finance, welfare, works, safety, and sometimes utilities. Yet natural as these divisions may seem they do not always lend themselves to most effective administration. The principal purpose of departmental organization is to keep the manager in contact with the activities for which he is responsible. If there are too many departments the manager is lost in detail. If there are too few departments the administrators of important activities cannot reach the manager first hand. For example, the health activities of a city are too important to receive other than first hand consideration by the manager, and there is an unnecessary handicap when the health officer must bring the health needs of a community to the city manager through a welfare or other director.

Similarly police and fire departments are centralized although they have little in common except a uniform.

Where an outside audit is made there is probably no fundamental error in centralizing accounting, purchasing, and assessing if any economy results.

There appears also to be small justification for throwing a hodgepodge of activities having to do with the city's streets under a single head and calling it a department of public works. Designing, constructing, and repairing buildings, streets, sewers, etc., are a common activity. But why combine them with cleaning streets, and the collecting and disposal of garbage and refuse, which are essentially different activities? Occasionally, the management of the waterworks and lighting plant are added to the public works duties. However, this inconsistency is generally recognized, and a trained administrator for each utility is permitted to report directly to the chief executive of the city.

City functions logically and practically group themselves into between nine and twelve divisions, all of which are sufficiently important to report directly to the manager. Nor is this number so many as to prevent the manager's constant attention. Naturally, the number of independent departments would be contracted or expanded in proportion to the size of the municipality.

AN ASSISTANT MANAGER

Several years ago some one suggested that the "mayor and council" government would be improved by the permanent employment of a technical assistant to the mayor. The mayor would continue to be more than the gastronomic head of the city government, entertaining public guests and functioning at corner stone layings,—he would determine policies, win or lose public support for them, and be generally responsible in the eyes of the people for the conduct of the government. But behind him would be this administrative assistant, through one administration and into another, collecting, correlating, analyzing, and interpreting facts for his superiors, forming an intelligent acquaintance with administrative details and subordinate administrators. He would be the permanent assistant mayor.

In the actual practice every city manager has a similar assistant. Some departmental head is consulted with more liberality than others, takes the manager's desk in his absence, and plays at times in an assistant's rôle. But if the idea of a few centralized departments is given up for a larger number of independent departments, the need for a permanent assistant is great.

The advantages of an assistant manager are many,—he could supplement the training of the manager, bringing experience and thought in welfare, finance, or safety, if the manager were trained in engineering, and visa versa; he would permit of someone in the manager's office constantly to perform the difficult task of keeping in touch with the public; he would permit of a chief executive always being in charge, vacations and sick leave notwithstanding; and finally there would always be a man in training for that particular managership in case of a vacancy, or to meet the needs of other communities. The idea has not been thoroughly tried out so no one knows whether it is good or not. The suggestion is passed on to city-manager cities, where it seems most applicable.

CENTRALIZED AUTHORITY

It is a potent argument that the success of the city-manager plan has come from centralization of authority. In place of numerous "checks and balances" and divided authority, there is finally some one who can say "come, and he cometh; go, and he goeth." Departmental activities are correlated; duplications eliminated, and there is action where action was not before. Early city-manager charters provided that the legislative body should choose no administrative officers except the city manager, the civil service commission, and the city clerk, this latter being properly an officer of the commission. This good example of centralization was short lived and later charters reserved to the legislative body the right to appoint a number of officers,—notably the solicitor, auditor, treasurer, and purchasing agent. Such division of authority can only defeat the ends for which a city manager is provided.

The theory underlying such legislative appointments is to secure a check on the actions of the manager. Naturally the first office where such control might be exercised is that of the attorney. He must interpret the law to the manager, and charter commissions argue that such interpretations should be free from any bias which might come through the attorney being a creature of the manager. Such arguments overlook the fact that only through liberal interpretations can city governments really be effective, and if there is any decided tendency to override the law, some energetic taxpayer will be at hand with an injunction. And what is of more importance, charter commissions forget that interpreting statutes is only a small part of the attorney's duty. By far his greatest activities are concerned with ordinance drafting, defending actions against the corporation, and bringing actions in the name of the corporation. In these capacities it is essential that he be subordinate to the orders of the manager.

The second office in which a check against the manager may lie is that of the auditor. In a larger sense the manager through subordinates incurs liabilities and liquidates them. It is argued that surely these actions should be supervised by an auditor, a servant of the commission, who will report any derelictions to his employer. If the ordinary city auditor's functions were solely auditing he might well exercise them with independence,—but they are not. In addition to passing vouchers and payrolls, he usually is responsible for the establishment and maintenance of the entire accounting system of the city,—for the task of borrowing large sums on the credit of the city, controlling large assets and liabilities, supervising job and unit cost accounts, and in general functioning primarily as a controller with auditing duties as a minor rôle. The manager is interested in and should control these activities, because they are the fact-producing machinery by which he guides his own administrative acts, and interprets them to the public. Further, the auditor, through his familiarity with the financial and physical condition of the city, usually is of inestimable value in the preparation of the budget, and in such capacity can best serve as the agent and not the equal of the manager.

Perhaps the happiest solution to this situation is to permit the manager to appoint a controller, the commission providing as a check an independent outside audit of his acts. This audit would be after the fact, but is sufficient. Such outside audits are expensive, but not infrequently justify themselves by suggesting improvements in accounting methods which would not otherwise be secured.

The office of the treasurer is naturally considered as independent, although its importance is frequently over-emphasized. His duties are to receive, have custody of, and disburse public funds. There is a mistaken idea that this office is in some way a check on disbursements. In truth, the treasurer's duties are purely perfunctory, any discretion as to the drawing of warrants being exercised by the auditor.

CIVIL SERVICE REFORM

The question is often raised as to whether there is any need of civil service regulations under non-partisan city-manager government. Not a few managers, remembering certain difficulties in getting rid of undesirable employes, would say no. If the manager is hired for his ability to get things done, why should he be hampered by civil service in selecting able assistants, and in dismissing incompetents? Because public business is not private business. In private business a manager can employ whom he pleases. In public business every citizen has an equal right to public employment, and ability should be the determining factor in securing that employment. Further, once employed, a citizen has a right to continue so long as he is competent, and not be subject to the personal prejudices of a manager.

Too, the manager is frequently a stranger to the city employing him, and is unfamiliar with the ability at his disposal. Such ability can only be located and made available through the merit system.

For his own protection a manager needs civil service restrictions. Non-partisanship is a nice mouth-filling phrase, but non-partisans like public offices just as much as partisans, and experience indicates that non-partisan councilmen will be "pulling the wires" to see that their acquaintances have public preferment. It would be a brave manager, indeed, who would accept office knowing he had to run the gauntlet of pressure from councilmen, ex-charter commissioners, friends of the new city charter, and friends of friends, whenever he made an appointment. Civil service reform does not inevitably secure exactly the man wanted, but it is a mighty handy protector when appointments are to be made.

Then again, a civil service board is something more than a machine for hiring public employes. It should be a clearing house for efficiency records, a check on pay rolls, and an instrument for increasing departmental efficiency, as well as a sieve through which candidates are sifted. Sometimes, even often, civil service commissions are the court of last resort where dismissals from service are tried. Perhaps this function is really the nub of objection to civil service. No city manager wants to go through more than one trial resulting from a dismissal, with lawyers, and witnesses examinations and cross-examinations, followed by a reinstatement, — because "inefficiency" is a charge difficult to sustain. Perhaps if the manager in dismissing an employe were required only to prepare a bill of divorce stating the charges, and were to allow a public hearing before the complaining officer, civil service would be improved, and be popularized in executive circles.

ADMINISTRATIVE PROCEDURE

Re the inclusion of administrative procedure in charters, there has been little uniformity among charter framers as to what should be included and six years' experience has seen little development. Every charter commission has been confronted with these alternatives: Shall the charter be simply a document of fundamental laws, leaving the administrative methods to be determined by ordinances, or shall all administrative procedure be included? A compromise usually results. The assessment and collection of general taxes and special assessments, budget making, and the procedure for issuing bonds, are usually given in great detail. Accounting, purchasing, building regulation, civil service rules, etc., are more frequently left for later amplification by ordinance. And these amplifications are only occasionally made. A most substantial service will have been accomplished when these procedures have been carefully prepared as an administrative code and made available to cities for enactment as ordinances. This would eliminate the necessity of including even a part of this material in such permanent form as a charter. Perhaps this task might be undertaken by a group of the managers themselves, or by appropriate committees of the National Municipal League.

THE NATIONAL BUDGET—ANOTHER ANGLE

To the Editors of the National Municipal Review:

Dear Sirs: Respect for your service in the cause of the national budget by securing comments upon it by technical authorities and an appreciation of the importance of your constituency leads me to answer some of the more important suggestions in regard to the changes in the bill made by your correspondents.

It is significant that the general comment is so very favorable and that all the writers are willing to support the bill. This is a good omen; for the most dangerous weapon of the opposition to budget legislation at present would be a great variety of different budget bills and different opinions as to budgets pressed upon congress, resulting in the excuse for inaction that the friends of the reform themselves could not agree on what should be done. The friends of the Good bill agree that it is only a first step; but they also believe that it is the first step on the right road, and that its operation will compel a development which, guided by experience and criticism, will eventually give to this country a budget system suited to its political and governmental system.

The two principal objections in the comment in your August issue are first, that the secretary of the treasury should prepare the budget; and, secondly, in regard to the office of the comptroller-general. Mr. Lill believes that the secretary of the treasury should prepare the budget, and there is much to be said theoretically for the position that the secretary as the chief financial officer of the government should be in the best position to do the work. Practically, however, the secretary of the treasury is at present the head of one of the largest spending departments of the government. The war risk insurance and the bureau of internal revenue alone contain upwards of thirty thousand employees, and these are only part of the functions of the treasury. It is unlikely that the tax functions of the government will be taken from the treasury, so that it will always remain a large executive department, particularly in view of the tendency to rest upon the tax powers such police measures as the abolition of poisonous phosphorous matches and child labor. An attempt to now divest the treasury of all of its non-financial bureaus and to distribute them among the other departments would start disputes as to where each bureau should go, which would inevitably greatly delay budget legislation. So long as the treasury is not a supervising financial department, it would be impossible to give it the power to revise the estimates of the other departments, since it would inevitably be led to favor its own huge spending departments as against the other departments.

To any one familiar with the inter-departmental jealousy in Washington and with the great difficulty of getting any kind of friendly co-operation, it will evidently be very much easier for an independent body in the President's own executive office to collect the information necessary for budget formulation and to cut down the estimates in each bureau of the several departments than it would be for a new organ in the treasury department. For a new organ must be created in any case; and the problem is not to effect a saving by using an existing institution in the treasury, but whether the new organization shall be created as an arm of the President directly, or as a means of securing a control by the secretary of the treasury over the other departments.

When one of the principal functions of the budget commission is taken into consideration, the function of assuring economy and efficiency and with the object of discovering means of improving administration in the departments, the importance of an independent commission is evident. It is only by the President that its recommendations can be carried into effect, for he alone has authority over and responsibility for the administration; and it is of the greatest importance that the recommendations of the budget staff should be made directly to the President, not through the medium of a secretary of the treasury immersed in other matters and certain to be under the suspicion, at least, of favoring recommendations which reduce the expense of other departments rather than those which will interfere with the routine of his own. If efficient administrative reform is ever to be accomplished in the departments of the federal government, the reform must come through the initiative of the President and an effective budget staff, working to reduce the cost of government in proportion to the results obtained, so that the President and his party may get the credit of administrative reform and economy, is a permanent and practical means of accomplishing this result.

The commission must have the power of investigation. The departments will submit their estimates asking for increases for clerical and other forces; and, if the President is to intelligently assume the responsibility for the expense incurred, he must have a means of intelligently investigating the reasons for the estimates submitted, especially for the increases. If he must depend without investigation upon the estimate of the department, his personal responsibility for the budget and his personal interest in administrative improvement will become a myth.

There are other very interesting criticisms on the provision for a comptroller and auditor-general. Mr. Miles's criticism is interesting and pertinent, but I believe will be met practically by the operations of the new independent bureau. At present there is a departmental audit in each department which will be continued, and should be continued, under the new system. The audit of the comptroller-general, once the office is properly organized, will be more that of a supervisor of the accounts as audited in each department than as an independent auditor. The knowledge that he has the power of closing and auditing the accounts of any department at any time will be sufficient to guard against possible carelessness, and the test audits that he will make from time to time will be sufficient to keep a standard in accountancy and method.

His functions as a comptroller-general, however, are almost necessarily involved in his position as the organ of congress to make certain that the money voted to the departments is spent by them for the objects for which it was voted. Even if he is given no specific power to stop payments from the treasury on the order of a department, the fact that the department must justify its expenditure as being in accordance with the law will be sufficient to compel them to ask for his opinion before spending money in cases where it is doubtful how far the authorization of congress goes. The comptroller and auditor-general is the advisor of the committee on audit of congress, and also of any other committee of congress having control over expenditures. If, therefore, he discovers that a certain department of the government is spending money for a different purpose than that for which it was voted and not according to the law covering expenditures, he will be in a position to make it extremely unpleasant, to say the least, for the spending officers when they come before the committees to explain their past operations and to ask for new appropriations. He will, by the force of his position, whatever be his legal power, be asked by the spending officers to pass on the meaning of appropriation laws where their meaning is uncertain; and his power will have the double sanction of his criticism of the account before congressional committees and that of the danger of a suit on the bond of a disbursing officer who spends money in a manner not authorized by law.

The Good bill will not in practice require that the representative of the legislature must scrutinize all claims before payment. Only in comparatively few cases, where the intention of congress or the law is *in doubt*, will there be any reason for his delaying the payment of claims. Here the suggestion of Mr. Lill that it will be well to study and codify the existing laws in regard to the comptroller is pertinent. This question was carefully considered at the time of the drafting of the bill and the necessity recognized. But it was felt that such a codification could be better done by the new congressional officer during his first years of service, when he would better understand the changes which should be made to render easier the work of his new office.

It is a very wise suggestion of Mr. Waite that we should get the national budget started "and then let its growth follow the natural lines." The budget staff and the independent audit, once in working order, will, with the aid of the criticism to which they should be continuously subjected by such magazines as the NATIONAL MUNICIPAL REVIEW, work out their own salvation.

Very sincerely yours,

J. P. CHAMBERLAIN.[1]

August 14, 1919.

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[1] Chief, Legislative Drafting Research Bureau, Columbia University.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

DEMOCRACY IN RECONSTRUCTION. Edited by Frederick A. Cleveland and Joseph Schafer. Boston: Houghton Mifflin Company, 1919. 506 pp.

The purpose of the editors is to furnish a textbook for those who wish to have set forth succinctly the issues and principles involved in the building up of our governmental, social, and economic fabric as a post-war program. It is in the form of a symposium of chapters grouped under related heads, and prefaced by an introductory chapter by Dr. Schafer outlining the historical background of reconstruction in America.

The book is divided into six parts, under the heads of Ideals of Democracy, Institutions of Democracy, After-war Social Problems, After-war Labor Problems, After-war Transportation Problems, and After-war Political Problems. Under the first head are two chapters, one by Dr. Cleveland in which are discussed President Wilson's ideals of democracy, and one by W. W. Willoughby setting forth the underlying concepts of democracy.

Under the head of the institutions of democracy Carl Kelsey, Arthur J. Todd, Edward Carey Hayes, and W. F. Willoughby discuss respectively private property, the family, institutions for social betterment, and institutions for public service, in their relation to democracy.

The group of chapters on social problems embraces the subjects of health, welfare of children, education, thrift, and social insurance, the authorship including Esther Lovejoy, M.D., Mary Elizabeth Titzel, Samuel P. Capen, Charles R. Mann, Willis H. Carothers, and Samuel McCune Lindsay. On the subject of labor problems Harold G. Moulton contributes a chapter on the relation of demobilization to unemployment, and William F. Ogburn another on the relations of capital and labor.

The section on the reconstruction of our transportation system is perhaps the least satisfactory part of the book. One might expect here to find definite light on the vexing problems which the railroads present to America. Actually, however, there are presented only a noncommittal introductory statement by the editors, a lengthy quotation from a statement by the interstate commerce commission, a chapter on the military motor transport by Dr. Cleveland, one on motorized highways by Robert C. Hargraves, and one on ocean commerce by William E. Lingelbach.

Political problems embraced in the final section of the book are treated in four chapters—the relations of the executive and legislative branches of the government, by Dr. Cleveland; the rights and duties of minorities, by Chester Collins Maxey; the commonwealth conference, by Frederic G. Young, who devised the plan bearing this name; and the evolution of democracy, by Charles A. Beard.

For the most part the discussions in this book are comparatively elementary, being designed to give a general point of view rather than to provide material for the advanced student of public questions.

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EXPERTS IN CITY GOVERNMENT. By Edward A. Fitzpatrick. New York: D. Appleton & Co., 1919. 363 pp. (National Municipal League Series.) 352 F55e

If he does nothing more than stimulate in some additional, and in others new, interest in the crying need for technical and practical training for public service, Dr. E. A. Fitzpatrick will himself have rendered a distinct public service by his compilation and editing of the twenty or more splendid articles brought together under the title "Experts in City Government."

After listening to such a "cloud of witnesses" one might well exclaim "what more shall we say" to prove as a fundamental need of efficient city government, that men shall submit themselves to training, colleges and universities shall alter their courses from the theoretical to the practical, bureaus of municipal research shall be increased and made more truly citizen organizations for letting in the light, civil service shall become an attractive career, and positions in the city government shall themselves become training centers for understudies to expert administrators.

Dr. Fitzpatrick has clearly set forth the thesis of his book in the following quotations from his preface:

> " . . . the problem of urban welfare is essentially a matter of administration" . . . "Expert city government, government administered by trained men, is the much needed agency to transform the city into an active, positive and constructive instrument of public welfare" . . . "Democracy needs the best machinery that can be found, the best tools that can be discovered; and the best tool that the world has ever yet produced is a highly trained human brain."

From the thesis in the preface to the program of city government in the final chapter, Dr. Fitzpatrick and his co-authors carry one through a series of instructive chapters covering, first, the problem itself, the need for experts because of inadequacy of the present city government, the wider range of municipal activities, as well as the broader view of the citizen in what he expects from the city government; second, listing many cases of the use of experts in city government; third, citing agencies that have risen up in the last dozen years whose purpose is to train experts in city government as well as to cooperate with the government; fourth, showing the great need for interpreting, through proper publicity, reports and all legitimate devices, expert government to the citizenship; fifth, raising the hope of making the public service more attractive by a higher standard of civil service; sixth, laying out definite plans for training schools for public service and leading up finally to the logical result, namely, a system of government that will unite power and responsibility with efficiency in accomplishment of results through use of expert trained service responsible to an enlightened and critically cooperative citizenship.

We may not all agree with all of the following program for responsible government offered by Dr. Beard in the concluding chapter of this book, which calls for—

> A system of government which, to reconcile democracy and expert administration must provide for the following institutions and processes:
>
> An executive department so organized that responsibility may be located in a group of officers.
>
> All the institutions and divisions grouped under the direction of these officers and controlled by a work program and a budget system that will require records of work performed and costs by units of performance.
>
> A permanent civil service and a system of permanent undersecretaries to sustain continuity of policy.
>
> The executive branch held responsible for preparing the budget and subjected to open and above-board legislative scrutiny.
>
> Effective use of the opposition as an agency of critical control and provision for assumption of responsibility by those who criticize and overturn the administration.
>
> Provision for submitting to the electorate for final decision all fundamental issues raised and formulated by those defending and those attacking a particular administration.

The program quoted above should prove a temptation to charter writers, expecially for the "big" cities which seem to shy at a "city manager." However, we shall certainly agree that given such a program, efficient administration is impossible without the guiding hand of highly trained administrators.

Citizens interested in better municipal administration, municipal research men, teachers of political science and city officials will do well to ponder carefully the problems discussed in Dr. Fitzpatrick's book. We can all agree with him that "Citizen co-operation with government will make it a success. Citizen indifference will make it permanently impossible." And fundamentally that is the problem of expert city government.

F. L. OLSON.[1]

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TOWN IMPROVEMENT. By Frederick Noble Evans. New York: D. Appleton Company, 1919. 261 pp.

Professor Evans disclaims any intention of making this a book on city planning, or more than an introduction to city planning. He has rather endeavored, first, to show how towns and cities grow up, with a view to discovering what there is in this process that indicates lines of physical improvement compatible with future development; and, second, to describe the elements and methods of making more useful or beautiful the physical factors of a town or city, on which the health, comfort, and safety of its citizens so largely depend.

The early chapters of the book discuss historically the trend of rural and urban population, the growing importance of the latter, the value of early attention to town improvement, the relation of such factors as commerce, and political

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and social forces, and the modern town plan in general. Various types of street systems are then described, and their merits compared. Closely connected with this subject are chapters on traffic circulation, in which the needs of modern street transportation are analyzed, and on the relation of the railroad, with its approach, tracks, stations, and yards. Likewise there are related chapters on the water front and on parks and other public open spaces; practical suggestions are made for the prevalent unsightliness of water courses, and for the development of a park system comprehending public squares, minor open spaces, and landscape parks.

Particularly valuable are Professor Evans' chapters on schools and school grounds, playgrounds, and neighborhood centers. Their substance is not distinctly new, but is presented in a manner which is of real worth to towns and small cities seeking to utilize the practical worth of efficient, safe school buildings; of adequate recreational facilities for children; and of fully developed community centers.

A further group of subjects treated includes water supply and its sources; sewage disposal; air and light; food supply; disposal of minor wastes; and health, police, and fire protection. In this study Professor Evans gives an elementary understanding of the factors involved and of the means at hand for solving these problems to the best purpose.

In all of this, as well as in the chapters on civic art, street equipment, street trees and other planting, housing, and the home grounds, Professor Evans has confined his attention to the physical side of town improvement, intending the book for those who have already developed a civic spirit and need fundamental guidance in making plans for the actual expression of this spirit. He has also included chapters on financing town improvement, and the organization of civic spirit that are of great value. The book thus serves admirably as a guide to those who want practical help in agitating or crystallizing local movements for making their towns more useful, comfortable, and beautiful.

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United Railway Co.'s Referendum Burglary. By Julius C. Jackson. St. Louis: Published by the author, 1919.

This is a red covered book of 170 pages, written to tell of the stealing of referendum petitions from a safe in the office of the Cigar Maker's union, St. Louis, by the aid of hired safe experts. The story of this burglary is more familiar to the reading public than the intrigue and double intrigue, the "crossing" and the "double crossing" graphically and frankly related by the author before the burglary story is reached.

The author was a secret service man, or special agent, of the United railway company, of St. Louis, for twelve years. His service culminated in the burglary above referred to, which he planned but did not execute. He used money supplied by the company to employ men necessary to do the job. The highest officials of the company insisted that the petitions should not be filed. They instructed their "agent," Jackson, to stop at nothing in order to prevent the filing, as that would lead to a referendum election on a franchise that had been granted to the company by the board of aldermen. Jackson was in close touch with these officers, with whom he intimately discussed plans; and after the burglary the petitions were delivered to Jackson and he delivered them to one of these high officers who burned them. Jackson turned state's evidence because these high officers tried to shield themselves by sacrificing Jackson.

The referendum story is not reached until page 111; so the major portion of the book is given to the experiences of a secret service man of "big business." The reviewer does not read detective stories; but he does not understand how a fictitious detective story could be more interesting than this book. It reveals an entire lack of frankness and consideration in dealing with labor, and a dependence on corruption to gain ends.

All these things, together with the fact that the municipal water system of St. Louis is conducted without intrigue and corruption, and with economy, point to the desirability and the probability of the extension of public ownership in St. Louis. Also the referendum burglary graphically described in this book is the strongest possible argument that the referendum should have a place in every municipal charter.

C. F. T.

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War Borrowing. By Jacob H. Hollander, Ph.D., Professor of Political Economy in the Johns Hopkins University. New York: Macmillan Company. Pp. 211. $1.50.

Who suspects that the Liberty bonds are an important, if not the chief factor in our high cost of living, which still mounts though the fighting was stopped nine months ago, and peace was made with Germany a couple of months ago?

This little book gives a review of war borrowing in our past wars, and then takes up the details of war borrowing in this war; with its effects on the U. S. Treasury, the money market and the price level.

The utility of the large purchases of treasury certificates by banks in advance of the enormous flotation of bonds to the public, and of the Federal Reserve Bank system in these tremendous financial operations is made plain, and a suggestion is made for possible improvement in the process. But the outstanding fact of practical interest to all is how the Liberties have led to enormous expansion of bank credit, which is equivalent to inflation of the currency, and is a chief cause of our high prices. Our currency is not debased, as is the currency of most of the European countries, but expansion leads to high prices none-the-less.

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Co-operation and the Future of Industry. By Leonard S. Woolf. New York: The Macmillan Company, 1919. Pp. 141.

In this book the author traces the movement referred to as "industrial representation" or "the democratization of industry" to the days of Robert Owen and the origin of the English co-operative movement. He shows that Owen's plan embraced a civic, social and economic program whereby each individual was to participate in the management of industry as well as in the government of the community. The co-operative movement of modern times, he says, "has lost . . . the particular theories and ideas which it took in 1844 from the system of Robert Owen, but there has always existed within the movement a body of men and women who have held that the ultimate object of the co-operative system is not the every-day buying and selling in the store, but the working out through that system of a better condition of society."

Indications that the solution of the problem presented by modern social and industrial unrest may be arrived at through co-operative action are plentiful according to Mr. Woolf. As an example he cites the Desborough co-operative society, which has a membership of 1,600 out of a total population of 4,500—practically all the heads of families—and which not only carries on the ordinary retail business, but is "lord of the manor and proprietor of the site of Desborough," and runs its own farm from which it supplies its members with milk, meat, poultry, fruit and vegetables. But actual industrial democracy has proved difficult of realization because of the sharp practices of capitalistic competition. With the rapid growth of the movement, however (the co-operative societies claiming in 1915 to supply about one third of the whole population of England, and doing a business estimated at $530,000,000), the necessity for a solution of the problem became imperative. As there were more co-operators than employees in co-operative stores, the control of the movement could not be in the hands of the workers, and although (according to Mr. Woolf) the working conditions and wages averaged better than in private business, nevertheless industrial democracy was far from being realized.

The habitual conservatism of co-operators was at last broken down under the stress of war-time conditions. As a result a scheme for the establishment of conciliation boards has recently been approved both by the Amalgamated Union of Co-operative Employees and by the Co-operative Union. These boards are composed of an equal number of representatives from societies' committees on the one hand, and of co-operative employees on the other, and they pass upon questions relating to wages, hours, and general working conditions. The scheme in its entirety involves local conferences between union and management representatives, appeal to district conciliation boards, and final appeal to a national conciliation board. This plan Mr. Woolf hails as "a remarkable advance in industrial organization" and as a sufficient justification for the claim that co-operation is the only system which has actually succeeded in applying the principles of democracy on a large scale to industry. From the foregoing it is further argued that co-operation affords the only right basis for industrial production—namely, production democratically controlled and carried on, not for the profit of the few, but for the use of the whole community—and he sketches lightly the vision of the co-operative commonwealth of the future, the realization of which will mean the downfall of the capitalistic régime and fair play at last for the worker.

American readers doubtless will find much that is surprising in the ideas and theories advanced by this book, with many of which they probably will not find themselves in sympathy. From the start the author makes no attempt to veil his antagonism to "capitalism" and he shows ignorance at several points of the subject matter under discussion. His arguments to the effect that "industrial production today is an unpleasant necessity," and that the "red-tape" of government officials foredooms the success of public ownership, are, to say the least, superficial. However, notwithstanding such defects, the book contains much information not generally available in this country and the author's reasoning at times is cogent.

Dorsey W. Hyde, Jr.

II. REVIEW OF REPORTS

Condemnation Proceedings in Great Britain.—In July, 1917, the Right Hon. David Lloyd George appointed a land acquisition and valuation committee to report defects in the existing system of dealing with such matters in Great Britain and to recommend desirable changes in the public interest. That committee submitted two reports—one in January and the other in November, 1918. These reports[1] are now before us.

The first report summarized the needs for extending powers of compulsory acquisition, the British euphemism for condemnation, pointed out the slowness and costliness of present methods and indicated how they might be simplified. The most striking innovation suggested was the creation of a sanctioning authority to act as a court of appeals on all proposals, involving the taking of land for a public use. This sanctioning authority is to be appointed by a selection committee chosen from members of the House of Lords and the House of Commons, is to be reappointed annually and is to serve without pay. Its membership may be made up from the members of either house, and other suitable persons chosen with reference to their general experience of affairs.

The second report deals with specific amendments to the existing law, the powers to be conferred on the assessment tribunal, betterment, recoupment, injurious affection, and payment for property taken by rent charge or securities. Some of these terms will not be easily understood here. The assessment tribunal is a court of awards, recoupment covers questions dealing with excess condemnation, and injurious affection is known among us as consequential damage. This is a most interesting document to the student of British land valuation problems, but it contains little that directly concerns Americans, because land tenures here have never assumed the complexity that characterizes them in Great Britain. There the landholding classes have been so long supreme in both houses that one might be pardoned for believing that the main object of British statutory law was to maintain those classes in possession and control forever.

Under the head of "Betterment" the committee deals with the problem presented by cases where an owner, a part of whose land has been taken for public use receives by the action of the public authority a benefit to the land which remains in his hands. It is proposed that in such cases a valuation shall be made of the benefit which he receives and his award diminished by such amount. It even goes so far as to propose that where a promoter of public improvements is *a private person or corporation* and where such improvement benefits adjacent private property the value of such improvement shall be assessed and paid to the promoter to enable him to carry out his project. This proposal is clearly an extension of our policy of assessing benefited area for the cost of certain improvements. Its application to new railroad and trolley lines would raise some interesting questions. Under the head of recoupment, the committee deals with problems, which arise under what we call excess condemnation.

The recommendations of the committee seem on the whole progressive and reasonable, and they represent a wide departure from precedents governing the acquisition of land in Great Britain in the past. Instances are cited by the Committee of costs of land, acquired for public purposes, which make the worst of our land condemnation proceedings seem reasonable and modest. England has still a long road to travel in the readjustment of her land policy before she can house her homeless industrials or settle on her idle but valuable acres, the returning soldiers who saved the empire.

J. J. M.

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[1] The First and Second Reports of the Committee Dealing with the Law and Practice relating to the Acquisition and Valuation of Land for Public Purposes. London: Published by His Majesty's Stationery Office.

Cincinnati Better Housing League.[1]—Cincinnati has long had the unenviable reputation of housing a larger proportion of its population in tenement houses than does any other city west of the Alleghanies. The first report of the Cincinnati better housing league presents the basis for this reputation. It says "there are between twelve and fourteen thousand tenement houses. . . . These tenements (multiple dwellings) house about 40 per cent of our total population or nearly 130,000 people, which, according to the report of the U. S. Public Health Service is a greater proportion living in tenement houses than is found in any other of the large cities."

With such a proportion of multiple dwellings there is no occasion for surprise that Cincinnati has very great need for a better housing league and there need be no surprise if the League finds progress unusually slow and difficult. The first report is largely given over to a description of housing in the poorer parts of the city and to the league's program for securing improvement. The latter necessarily involves the backing of an informed public opinion, so the league lays stress upon the educational work it is doing through the press, the schools and its three visiting housekeepers. With the backing of public opinion it hopes to secure an adequate housing code which will set proper standards for new dwellings and will require the elimination of the worse features of unfit existing dwellings.

The necessity for an informed public opinion is indicated by the action of a lower court which recently issued an injunction restraining the building commissioner from vacating certain tenement properties which are in unfit condition—the case is now before the court of appeals—and by the lack of success which has attended the league's efforts to secure the employment of more city inspectors—"the housing bureau has now only four inspectors to supervise between twelve and fourteen thousand tenement houses."

This report shows Cincinnati at the beginning of its task. It has some accomplishments to record, 300 ramshackle buildings demolished annually, 2,996 privy vaults abolished during the past two years—a really notable achievement considering that those were war years—leaving only 489 where sewer connection is practicable. The league itself has made some valuable studies and has engaged in several enterprises connected with war work that proved abortive because of the sudden ending of the war.

The impression left by the report is that the way has now been cleared for action and that the next report will show definite progress made.

J. I.

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Fifth Year Book of the City Managers' Association.—This publication is full of information of positive value to every one interested in any way in the city manager or commission-manager form of government. It is in effect a history of the movement as well as a reference book on all phases of the subject. The first part of the book contains "achievement reports" of city-manager municipalities under war-time conditions. These reports are given city by city, each prefaced with data as to the city population, date when city-manager plan became effective, name of manager, date of appointment, and salary. Collectively the reports show an encouraging record of economies, improvements, and efficiencies under this form of administration.

The proceedings of the 1918 convention of the association, incorporated in the year book, include the address of Clinton Rogers Woodruff, secretary of the National Municipal League, on "The Model City Charter," and that of C. G. Hoag, secretary of the American Proportional Representation League, on "Proportional Representation," as well as the discussions of many important phases of the city manager question. There is also much tabulated information bearing on the progress and success of the city-manager movement.

R. R.

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Seventeenth Annual Report of the Juvenile Protective Association of Chicago.—This report, covering the period of the first year of America's participation in the war, is of value as a basis for comparison with the experience of European countries as to the influence of the war on juvenile delinquency. It was found in England, France and Germany, and probably in other countries as well, that juvenile delinquency materially increased during the early years of the war, due to the closing of schools, the increased use of children in industry, and the lessening of parental restriction. These facts being known when the United States entered the war, definite efforts were made to prevent the same experience here. Such evidence as has been gathered, however, tends to establish the fact that these efforts have not been altogether successful. In Chicago, this report shows juvenile delinquency increased 29 per cent during the year ending November 1, 1918.

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[1] Houses or Homes; First Report of the Cincinnati Better Housing League. June, 1919. Pf., 32 pp. Illustrated.

The report contains the year's record of the many excellent activities of the association.

During the 18 years of its experience, the Juvenile Protective association has received so many complaints concerning junk dealers as contributors to juvenile delinquency of both boys and girls that it determined upon a study of the problem. The results of this investigation are contained in a pamphlet issued separately from the annual report. Both the investigation of conditions in Chicago, and the data secured from other cities, establish the fact that it is virtually a universal practice for junk dealers to buy junk from children, despite prohibitory ordinances regulating the junk business; that most of the junk sold by children is stolen; that junk collecting by children involves many pernicious features besides theft; and that the money received by children is for the most part spent in low-grade motion picture theatres and for other cheap luxuries of a questionable kind. The sources from which children steal junk material include alleys, vacant houses, wagons, factories, and railroad cars and yards. The more common kinds of junk gathered were rags, bottles, iron, brass, lead pipe, copper wire, coal, and automobile tires. The fact was also established that many dealers urge boys to steal and sell them the loot, and that in certain instances the dealers even provide the tools with which the boys are expected to cut out lead pipe from empty houses.

Juvenile court judges, probation officers, policemen, and other social workers throughout the country reported that conditions in their own cities were similar to those obtaining in Chicago, and that the junk business constitutes a most prolific cause of juvenile crime.

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Census of Electric Fire-Alarm and Police-Patrol Signalling Systems and of Fire Losses.—A report just issued by the federal census bureau shows a total of 1,712 municipal electric fire-alarm and police-patrol signalling systems in use in 1917, an increase of 48 per cent in ten years. These systems embody 107,658 miles of single wire, of which 55,937 are overhead and 51,721 underground. It is significant that the increase in overhead wires in ten years is 30.7 per cent, while that in underground wires for the same period is 84.6 per cent. It is encouraging to find this recognition of the advantage of underground wires, as there is the gravest necessity for protecting the wires of alarm systems from the danger of injury by storms and climatic conditions.

Owing to the constant increase in population in most cities it is only natural that the number of fire alarms and the assessed valuation of property should increase; but it seems incredible, as the reports shows, that approximately 60 per cent of the cities should show an increase in property destroyed, inasmuch as old buildings in most of our large cities are being replaced by modern fireproof structures and every effort is made to reduce fire losses.

In 1917 the per capita loss for Kansas City, Kansas, was $11.13, which was the highest for the year. Lexington, Kentucky, and Lynchburg, Virginia, were next, with losses per capita of $11.04 and $10.42, respectively. For the year 1912 the per capita loss for Houston, Texas, was $51.14, while for Canton, Ohio, and Sioux City, Iowa, which had large fires during the year, the loss per capita was $36.94 for the former city and $12.69 for the latter.

Of the 25 largest cities for which comparative data as to the property loss by fire are available, 15 show a larger loss per capita for 1917 than in 1912. In 7 of these cities the fire loss was less than $2 per capita in 1917; in 12 cities it was from $2 to $3; in 2 cities, from $3 to $4; and in 4 cities, over $4. The property loss by fire for these cities ranges from $0.56 per capita for Washington, D. C., to $5.27 for Boston, Massachusetts. For these cities the assessed valuation aggregated $23,459,031,610 for 1917, as compared with $20,125,294,393 for 1912, an increase of $3,333,737,217, or 16.6 per cent; and the aggregate property loss by fire was $48,695,678 in 1917, as compared with $41,588,009 in 1912, an increase of $7,107,669, or 17.1 per cent.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Street Railway Situation and Fare Increases.—The St. Paul (Minnesota) association has taken occasion to gather data of street railway conditions in other cities for its own guidance in opposing the Warner bill providing for state commission regulation of the local street railway company. These data, as published by the association in a report on the subject, provide a very illuminating view of transit conditions in eighty leading American cities, including all cities, except one, of more than 200,000 population, and most cities of 100,000 or more.

Street car difficulties in America, the report points out, constitute one of the most serious of all municipal problems. To a large extent our street car companies have broken down. Several of the secretaries of chambers of commerce, more particularly in eastern cities, state that bad financial methods in the past have contributed to some extent at least to the present troublous situation. Replies received from several cities indicate that the street car companies have been and are excessively capitalized, that they have paid dividends which were not earned, that they have not adequately provided for renewals and depreciation, and that they have allowed their properties to deteriorate unduly.

The crisis, however, has clearly been produced everywhere by the war and war prices, which have hit the "deserving and undeserving alike," although companies with good rolling stock and efficient management have been able to stand the test better than the less efficiently financed and operated systems. In almost every city, however, the awards of the war labor board have made large increases in the pay roll which a fixed income was unprepared to meet. Not only labor, but every article used by street car companies has materially advanced in price. On the other hand the only companies to experience any substantial natural increase in income are those which have been located in cities which have had abnormal industrial development due to munitions factories, shipyards and other war establishments.

As a result of all this, company after company has become insolvent. The value of street railway securities has depreciated more than 50 per cent, and many of the leading systems of the country have gone into the hands of receivers. In fact, the widespread extent of receiverships and insolvency is astonishing. It is claimed that since 1917, 51 electric railways have gone into the hands of receivers.

Desperate efforts to overcome the conditions leading to this situation have in most instances taken the form of increased fares. In only 30 of the 80 cities covered in this report has the rate of fare remained unchanged. In the other 50 various increases have been made. In analyzing the variety of increases more elaborate data gathered by the American electric railway association are available. These cover increases of fares in 388 cities, as follows:

	No. of cities	Average population
Cities with 10c fare	6	11,293
Cities with 8c fare	19	75,600
Cities with 7c fare and 1c transfers	17	91,958
Cities with 7c fare	83	21,815
Cities with 6c fare	164	67,653
Cities abolishing reduced-rate tickets	52	53,839
Cities with 5c fare and additional charge for transfers	6	100,442
Cities with special zone fares	43	82,726
Cities with special time or ticket rates	2	139,425

(This tabulation includes four duplications)

Generally speaking, it appears that street car managers and officials expect that an increase in rates, except under most favorable circumstances, will lead to some falling off in patronage. Where the zone system of fares has been in use, the decrease has been even greater than the companies expected. It is, however, significant, that in many cases where modest increases in the rate of fare have been made, patronage has not fallen off and it probably should be regarded as especially significant that in Cincinnati, Cleveland and Youngstown, Ohio, with the cost-of-service franchise, the increases in fare have apparently been satisfactory both to the companies and to the public.

The zone system in use in Milwaukee and Pittsburgh, and in several New England cities, has proved far from satisfactory. It has not provided the increased revenue expected, and has presented almost insuperable difficulties in the collection of fares. There is therefore practically nothing to say in its support. On the other hand, even if it had served its purpose of increasing revenue sufficiently, it is open to the very serious objection that increasing the cost of transportation to the outlying districts of a city, as the zone system does, increases congestion in the central zones and is therefore questionable public policy.

Possibly the most satisfactory—or at least the most promising—method so far tried for the rehabilitation of transit systems is the cost-of-service franchise. The St. Paul association draws a distinction between the cost-of-service *principle* and the cost-of-service *franchise*. The cost-of-service *principle* is the basis of all intelligent and fair rate-making for all public utility services. It simply means that the service should be supplied to the public at its fair cost, including operating expenses, taxes, depreciation, etc., and return upon investment. Following this principle, we have had in America frequent adjustments of gas and electric rates. But we have been pretty well given over to an inflexible street car fare of 5 cents—endeavoring to prevent excess earnings by requiring improvements in service, etc. The cost-of-service franchise as applied to street cars embodies a flexible and automatically changing rate of fare, based on the actual cost of service. Its value is to be measured, perhaps, by the degree of its success, where it has been tried, rather than by the number of cities which have adopted it. It is claimed that fare increases under cost-of-service franchises are accepted more philosophically because of a feeling that they are justified by the data on which they are based and by the basis on which they are fixed.

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Minneapolis Considers "Cost-of-Service" Transit Franchise.—What is claimed to be the latest thought in public utilities control is contained in a lengthy ordinance prepared for the consideration of the citizens of Minneapolis. The ordinance proposes a new deal between the city and the Minneapolis street railway company whereby the company surrenders all present franchises and privileges, and is granted a new twenty-five-year franchise. Under this franchise the city retains sweeping powers over the company and in return provides for a "cost-of-service" passenger fare to be so adjusted periodically as to provide the company with an estimated return of seven per cent on a capital value inventoried at $24,000,000. A "stabilizing fund" of $250,000 is provided to cover deficiencies in gross receipts when the later are insufficient to meet the various charges specified in the ordinance. Surplus earnings, on the other hand, are added to the stabilizing fund. The fare charged by the company, starting at five cents, is subject to an increase or decrease of one cent every three months, the adjustment depending on the fluctuations in the stabilizing fund. The issuance of transfers is also provided for.

The company is further required to create an "amortization fund," into which is to be paid annually from operating expenses an amount equal to one-half of one per cent of the capital value, to wipe out of the capital account such items as are deemed to be of an intangible nature. A maintenance reserve fund is also provided to cover repairs, maintenance, renewals, and depreciation. The company undertakes to obtain new capital to meet the financial requirements of the proposed ordinance; and, in the event of its inability to do so, the city will provide the money upon the authorization of the state legislature.

The city is to have the right at all times to control the service, including the type of cars; fix and amend schedules; and control stops, routes, headway, speed, lighting, heating, and sanitary conditions. All purchases, contracts, agreements, and settlement of claims, are to be approved by the city. The company is also to submit an annual budget to the city for its approval, and, in addition, monthly reports and an annual audit, the company's books at all times to be open to the city's representative.

The city is to appoint a street railway supervisor as a technical advisor in all matters affecting the operation of the system. The supervisor is to report to the city council any condition of management which in his judgment calls for correction. The supervisor's salary and the expenses of his staff are to be paid by the city, which is to be reimbursed by the company, the reimbursement being charged to operating expenses.

On the labor side, the employes of the company are granted a 54-hour week, with a maximum of 10 hours per day. Reasonable compensation is also guaranteed, and the company is required to deal with accredited committees of employes wishing to present any matter relative to wages, hours, or working conditions.

All disputed questions between the city and company are to be submitted to arbitration, but either party may appeal to the courts from the award of the arbitration board.

Finally the city reserves the right to purchase the company's property on January first of any year, upon one year's notice, provision being made for determining the value of the property. Or, on the other hand, the city may transfer to any other corporation empowered to operate street railways in Minneapolis, its power to purchase, in return for which it is to receive as a bonus from the purchase at least 10 per cent over and above the purchase price.

The voters of Minneapolis, under the terms of the ordinance, are to have the final voice in its approval in the event of its acceptance by both the city council and the street railway company.

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Home Rule Wanted in Utility Rate-Fixing in Illinois.—The amendment to the public utilities act sponsored by the home rule municipal league of Illinois, transferring the regulation of rates and of local utilities from the state commission to the municipal authorities, was defeated at the last session of the legislature. This setback was brought about largely by the committees to which the amendment was referred in the senate and house. These committees, it is charged, were named in the interests of the corporations, with the result that the advocates of the bill were unable to secure favorable committee action, or to secure action of any kind until late in the session, when there was no possibility of getting the amendment through the two houses.

The demand for municipal control of public utilities has been revived partly on account of the state commission's delay in acting on complaints of cities, and partly by the increased rates allowed by the state commission—sometimes, as in Chicago, in the face of express conditions in local agreements. Some increase seems to have been justified, but it would be difficult to prove whether the state commission has been too liberal, and the legal issues will probably have to be fought out in the courts.

The home rule adherents are active in the campaign for the nomination of delegates to the constitutional convention, in an effort to secure the nomination of candidates who can be indorsed by the home rule municipal league. Some of the home rule advocates are working with other groups interested in the initiative and referendum and the North Dakota ideas of government ownership of elevators and other industries. There is thought to be some chance in the constitutional convention for municipal home rule charters, but it is of course too early to predict the outcome.

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Street Railway System Offered to City of Merrill (Wisconsin) for One Dollar.—The Wisconsin Valley electric company, whose 30-year franchise for the operation of the street railway system of Merrill, Wisconsin, expires December 30, 1919, has offered to the city the property of the system—that is, tracks, trolleys, cars, tools, etc., but exclusive of real estate and power equipment—for the sum of one dollar. The company, in a letter containing its offer to the city, asserts that the property has been operated at a loss for the entire period of thirty years, that the patronage of the road declines consistently with the increased use of automobiles, that increasing the fare to seven cents has not increased the gross revenue, that the estimated deficit for the current year will be approximately $50,000, and that the company is ready to quit. The company offers to supply power at reasonable rates if the city decides to accept its offer, and asks only that if after the experiment of municipal ownership the city wishes to discontinue, the property be turned back to the company in order that the latter may have the benefit of its junk value.

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Municipal Ownership of Street Railways, Recommended by Dr. Wilcox.—At a hearing of the public utilities committee of the chamber of commerce of the United States in Washington, the principal speaker was Delos F. Wilcox, consulting franchise expert of New York. Dealing with the general problem of the electric railway industry, Mr. Wilcox declared that under existing conditions the only way out of the street railway difficulties would be through public ownership. The tendency is toward a greater recognition of electric railway operation as a public business and a greater public control thereover, he insisted, and the world does not move backward.

Pennsylvania Improves Administrative Efficiency.—The last session of the Pennsylvania legislature was marked by the passage of a considerable number of important bills for the improvement of the administrative economy and efficiency of the state government. Many of these measures were recommended by the economy and efficiency commission during the administration of Governor Brumbaugh, but failed of passage then because of his hostility toward the commission and its work, a hostility culminating in the abolition of the commission by the governor and the veto of recommendations made by it and approved by the legislature. When Governor Sproul succeeded to the office of chief executive, although handicapped by the lack of an economy and efficiency commission, he took up vigorously the task of raising the standard of administrative organization, renewing many of the recommendations of the old commission and adding others to them. Credit is due Governor Sproul, as a result of his efforts, for effecting more important changes during the last legislative session than were made during the two sessions of the Brumbaugh administration.

Governor Sproul's activities resulted in the reorganization of the adjutant general's office, the state arsenal, the bureau of standard weights and measures, the department of the secretary of the commonwealth, the state police, the bureau of the fire marshall, the office of the state treasurer, the bureau of statistics, the topographic and geologic survey commission, the attorney general's department, the department of agriculture, the state library, the department of printing and binding, the board of pardons, the department of public instruction, the insurance department, the workmen's compensation bureau, the department of internal affairs, and the governor's office.

New bureaus and commissions created in carrying out the plan of reorganization included those of vocational training, standardization of positions in the state department, supervision over the erection of all memorials and other works classed as art, the Delaware river bridge project, and the rehabilitation of physically incapacitated workmen. The number of assistant general agents of the state board of public charities, inspectors in the department of labor and industry, and travelling auditors in the auditor general's department, was also increased. Salary adjustments were made in the cases of the governor, state banking examiners, assistant general agents and the secretary of the committee on lunacy of the state board of public charities, legislative employes, and public school teachers in the state.

Other measures passed as part of Governor Sproul's program for administrative improvement included the creation of a sinking fund to replace insurance for state institutions and state property; advances of appropriations to state institutions; regulations for the retirement of state employes; the relief of the governor from auditing duties; the publication of bi-ennial, instead of annual, reports of state departments; the abolition of the office of health officer for the port of Philadelphia and of the state quarantine board; standardization of methods of accounting, purchasing, and recording in state institutions; the legislative adoption of a constitutional amendment prohibiting the payment of any money from the state treasury except by an act of assembly specifying the amount, purpose, and time of such appropriation; the erection of a state office building; and provision for the employment of experts by the governor whenever in his judgment they may be needed.

⁂

Work of the Illinois Legislature.—At the time of writing the article on the work of the reconstruction legislatures, which appeared in the July issue of the NATIONAL MUNICIPAL REVIEW, the Illinois legislature was still in session, with its work unfinished, in consequence of which it was impossible then to give an adequate review of the accomplishments of the closing session. So much important legislation, however, was adopted by this body—legislation which has not since been reported in these pages—that it seems fitting now to mention some of the chief acts newly applicable to Illinois.

Perhaps the most vital of these new laws created a state tax commission to take the place of the obsolete and ineffective state board of equalization. The new tax commission, which consists of three members, is endowed with all the powers of the old equalization board, and is especially empowered by law to order the reassessment of property when it has reason to believe that local assessors have failed to do their duty. It is believed that this power of reassessment will have a tonic effect which will result in largely increasing the amount of property listed for taxation throughout the State. This statute is a long step in the direction of modernizing the taxation machinery of the State.

Governor Lowden gave his support in decisive fashion to the proposition to increase the basis of taxation throughout the state from one-third of the actual value to one-half. This legislation gives the city of Chicago power to increase its bonded indebtedness to the extent of $27,500,000, and will also enable the downstate cities to increase their bonded indebtedness. The financial lee-way given by this law will enable Chicago and the other cities of Illinois to carry out needed public improvements in case proposed bond issues for that purpose are endorsed by the people when submitted to referendum vote.

The governor also gave essential aid in securing the enactment of a statute to place the deposit of state moneys on a more business-like basis. This new statute, which was strongly favored by the legislative voters' league, is described in detail elsewhere in these columns.

Legislation in which Chicago is especially interested includes an act which will place the election of aldermen on a non-partisan basis; and another which will reduce the number of aldermen to 50, one for each ward. This legislation will effect a large saving in the cost of elections. The voters are to determine by referendum whether aldermen shall be elected for a two-year or a four-year term.

Other new laws of especial interest to Chicago include a zoning statute, which will regulate the character of buildings which may be erected in any prescribed locality. This law applies also to the other principal cities of the state. Almost equally important is an act which creates a commission to prepare bills for presentation to the next general assembly covering the matter of housing. A new law of substantial importance gives the sanitary district of Chicago the right to bid on electrical power developed in the Desplaines river in the construction of the Illinois waterway. Another act empowers the city to erect a municipal convention hall. Still another act of local importance authorizes park districts to issue bonds to defray the cost of making connections with other parks.

Senator Hull's important bill to create a commission to standardize county and municipal expenditures was passed by the senate, but failed of passage in the house.

The general assembly passed 429 measures, of which 222 originated in the senate and 207 in the house. The total number of bills introduced was 1,343, as compared with 1,647 at the 1917 session. As at the preceding session, legislative business was carried on with a high degree of fairness and efficiency by Speaker Shanahan in the house and by Lieutenant-Governor Oglesby in the senate. Only a few measures of importance failed to receive legislative consideration.

Governor Lowden made free use of his veto power, killing 38 measures by that means. Of these 21 were house bills and 17 were senate bills. The appropriations vetoed totaled $340,022.

✣

Extravagance of Kansas Legislature.—An examination of the expenses of the last session of the Kansas legislature reveals the lavish manner in which its members provided for their personal convenience.

In the senate the average expense per member for the session was $7,082.58. The average expense per house member was $1,904.50.

The senate voted its members $20.00 each for expenses of their trip to St. Louis to welcome returning soldiers.

The average number of clerks per senator was 13. The average number of clerks per house member was 2.

In the senate one page attended to the wants of two senators; in the house one page was errand boy for nine members. As the senate chamber is much smaller than that of the house, its pages have correspondingly lighter work.

Both senate and house grossly exceeded the necessary expenses for doorkeepers and assistants. The total cost for this service in the two houses was $25,565.86.

✣

Ohio's Municipal Financial Problems Still Unsolved.[1]—A petition of the police of Sandusky, Ohio, for a wage increase of 25 per cent was the occasion for a public statement made by City Manager Zimmerman from which we quote the following excerpt because of its relation to the financial condition of municipalities throughout Ohio and in other states as well:

> There are, as I see it, but two ways in which more money for municipal purposes can be raised. One is through a revaluation of property. The other is through an occupational tax. The former plan is best, providing of course, the revaluation is upon country property as well as city property. It would be folly for the city to attempt to realize from an increased valuation

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[1] See NATIONAL MUNICIPAL REVIEW vol. viii, p. 389.

if the country districts were to share in the benefit without attempting a higher valuation of farm property at the same time. The occupational tax idea does not appeal so strongly to me, although some other cities have tried it, Cincinnati among them. But a revaluation would bring the best result because a full valuation on both city and rural properties would certainly mean a much higher revenue, I believe, from taxation.

As to immediate action with reference to an increase of city employes' salaries, I stand pat that municipal projects should be financed before attempted. That is a good rule in private business and it should be a good rule in municipal business. The statutes are very plain that deficiency bonds cannot be issued and sold to take care of deficits yet to be created. If the city's expenditures for operating expenses were to exceed the revenue, we might borrow in advance of the half-year tax settlements; but sooner or later the city officials responsible for such policy would come face to face with the responsibility of asking the voters to approve of a big issue of bonds to take care of the deficiency created. And voters do not always look kindly upon deficiency bond issues. The city of Cleveland had to hold two elections before the voters there would approve of a deficiency bond issue. The state examiners have told me that if deficiency bond issues are to be presented to the voters to take care of deficits in operating funds, it would, in their opinion, really be necessary to hold a bond issue election every month that deficiencies existed.

◆

City Manager Notes.—The latest additions to the long list of cities operating under the city manager plan include Anamosa, Iowa; Terrell, Texas; Miffinsburg, Pennsylvania; and Gastonia and Kinston, North Carolina. Voters of Oskaloosa, Iowa, have petitioned the city council to adopt the city manager plan.

The reported manager charter drafted for Brantford, Ontario, seems to have been a sort of freak affair and far from a commission-manager plan. It was defeated by a strong majority, and the Brantford chamber of commerce is now seeking information with a view to offering a good charter in lieu of the faulty one they helped to turn down.

Several South African cities are taking an active interest in the city-manager plan. U. S. Consul W. U. Masterson, Durban, Natal, has written for all available information on the movement.

Openings for candidates for the position of city manager are reported in Wichita, Kansas; Suffolk, Virginia; Montrose, Colorado; Petoskey, Michigan; Bristol, Virginia; Alcoa, Tennessee; McAlester, Oklahoma; Salinas, California; and Yoakum, Texas.

Griffin, Georgia, reports a net saving of more than $10,000 for the first five months of operattion under the manager plan. Griffin's manager is trained in municipal finance. When engineering problems arise engineers are called in to handle them. At present the city is laying $180,000 worth of paving and doing some $15,000 of sewer work. A remarkable record reported is that during the eight months that the manager has been employed he has not heard a single criticism of the manager plan.

II. POLITICS

Absentee Voting in Illinois.—The amendments recently made to the Illinois absentee voters law, while purely technical in their nature and made for the purpose of providing proper safeguards against possible frauds in the cities, revive an interest in the general subject which justifies a statement of the plan. The law provides that any registered voter expecting to be absent from the county of his residence on the day of an election may, from 10 to 30 days before the election, make application for an official ballot to the officials charged with the duty of furnishing election ballots. The form of application is provided by the law, and upon proper application such a voter is to be supplied with an official ballot, which he may mark and return in a specified sealed envelope which is supplied with the ballot. This envelope contains on its face a form of affidavit to be sworn to by the voter setting forth his right to vote. Ballots must be returned by mail or in person in time to be delivered to the election officers before the closing of the polls. If the election officers find that the affidavit is properly executed, that the signatures on the application and affidavit correspond, that the applicant is a duly qualified voter in the precinct, and that he has not been present and voted during the election, then the ballot is removed from the envelope and, without being unfolded or examined, is deposited in the ballot box. When, however, any of these conditions have been violated the envelope is not opened, but is marked "rejected" and the reason therefor given. Rejected ballots are retained and preserved in the manner provided for other rejected ballots. Penalties are provided for false affidavits, for wilful neglect or refusal to return official ballots, and for the refusal or neglect of any election officer to perform the duties provided in the act.

◆

Defeat of the Attempted Recall of Mayor Short of Sioux City.—The movement to recall Mayor Wallace M. Short, of Sioux City, which failed of accomplishment, was started because of the mayor's alleged sympathy for the I. W. W., the last manifestation of that sympathy being his determination to deliver the address of welcome at the I. W. W. convention, held in Sioux City in April. Many people of the city felt that his I. W. W. leanings indicated disloyalty to the best interests of the city. On the side of his supporters were the ranks of organized labor, whose representative he claimed to be through his membership in the bartenders' union, together with some business men, it is claimed, who were friendly to him because of his lax enforcement of law.

The recall petition was signed by over 4,000 electors, many of whom, however, failed to vote at the election held in June. The mayor's opponent was a man of unimpeachable character, but of little experience in politics. He was a member of the brotherhood of locomotive engineers, in good standing, and was selected as the opposition candidate because of the belief that he would split the organized labor vote, which he failed to do. The mayor was able to solidify the union vote of the city, succeeding in convincing organized labor that the recall was a movement to remove their representative from office. The mayor was thus endorsed by a large majority.

III. MISCELLANEOUS

Wheeling (West Virginia) Seeks Improvement.—"A better and more beautiful Wheeling" is the slogan adopted by the newly organized Wheeling improvement commission which is the outgrowth of a luncheon-conference of leading business men to consider what might be done for the betterment of the city. Substantial subscriptions have been obtained toward a volunteer fund of $30,000 to carry on investigations, make studies, and formulate plans for general municipal improvement. Among the projects suggested for the consideration of the commission are new parks and playgrounds, protection against floods, a water filtration system, improved streets, new sewers, and general beautification of the city.

The commission will invite suggestions from the public generally. It will employ engineers and such legal assistance as may be necessary for the purpose of studying any particular plan and passing upon its feasibility. It will also prepare plans for financing and carrying through any of the improvement projects which it believes are within the means of the citizens and can be carried through to advantage. Some plans, it is recognized, can be carried through only by the co-operation of the city and the county with individual citizens. Others may require special acts from the legislature. All of the plans that are of special importance will require considerable engineering study and legal work.

This movement is predicted by some to the opening of a new era for Wheeling—the culmination of all past agitation for city improvement. People and the press declare that the city has the money and the spirit, and needs only what the new commission may now furnish—a body with vision and courage to plan the work, and the power of leadership to put it through.

◆

Pennsylvania Provides Commission for Building a Delaware River Bridge.—An act of the last session of the Pennsylvania legislature provides for a commission, consisting of the board of commissioners of public grounds and buildings, the mayor of Philadelphia, and two other citizens of the state appointed by the governor, to act with the New Jersey bridge commission in the construction of a Delaware river bridge connecting Philadelphia and Camden. The joint commission is authorized to prepare plans, select a site, gather estimates, and proceed with the actual construction of the bridge as fast as money for the purpose is appropriated. The states of Pennsylvania and New

Jersey are to bear the cost equally, and of Pennsylvania's share the city of Philadelphia is to pay half.

◆

No State-Owned Cement Plant for California.—Reports from California state that, with an unprecedented volume of public work requiring the use of cement, the legislature ignored the opportunity offered it to purchase the monolith plant now owned by the city of Los Angeles. Friends of good government express disappointment at this failure, asserting that it leaves the state, like the rest of the country, entirely in the hands of the cement trust. It is understood that the Los Angeles plant will be sold to private parties about the first of next year, and become a link in the cement ring.

◆

Kaleidoscopic Traction Situation in New York City.—The street railway situation in New York city, with its receiverships, prospective receiverships, agitation for fare increases, labor troubles, and political feuds, is changing so rapidly and repeatedly that we shall not attempt this month to comment on the subject. We hope, however, to present a full account of the complicated problem in our next issue.

◆

The Philadelphia Foundation.—To provide an efficient agency for the care and distribution of gifts and bequests for the public welfare the Fidelity Trust Company of Philadelphia has established the Philadelphia Trust. The idea is not an original one, having been developed by F. H. Goff, president of the Cleveland Trust Company, of Cleveland, Ohio, where pledges amounting to over $20,000,000 were made in the first year. The investment and care of the funds and property of the Philadelphia Foundation will be managed by the Fidelity Trust Company with the usual restrictions safeguarding trust estates. The distribution of the income of the principal will be vested in a committee of five, one member of which (John Gribbel) has been appointed by the governor of the state, one (Morris L. Clothier) by the senior judge of the United States district court for the Eastern district of Pennsylvania, one (James L. Wilcox) by the president judge of the orphans' court of the county of Philadelphia, and two (Edward T. Stotesbury, and Morris R. Bockins) by the directors of the Fidelity Trust Company. It is planned by this method to encourage community spirit; to secure financial aid for charity, education, art, and civic improvement; and to obtain the benefits of coöperative giving.

◆

A Proposed International Municipal Exposition.—The International Exposition of Municipal Equipment, to be held as a permanent institution in Grand Central Palace, New York, is intended to bring together under one roof every conceivable article used in the construction and maintenance of a city, from a fire engine to a blackboard.

There are to be displays of all sorts of modern equipment and methods used by municipalities, including departments of health, education, police, fire, parks, playgrounds, water, light, heat, power, garbage and sewage disposal, laboratory supplies, hospital and office appliances.

It is to be one of eight or nine expositions which will make up the industrial trade mart of the Merchants and Manufacturers Exchange, occupying the entire Grand Central Palace. The municipal exposition will be staged on one whole floor, with 50,000 square feet of floor space.

◆

W. D. Lighthall, K. C., Retires from Secretaryship of the Union of Canadian Municipalities.—Since its organization in 1900, the Union of Canadian Municipalities has had for its honorary secretary W. D. Lighthall, K. C., who at that time, as mayor of Westmount was stirred to action by the granting of a pernicious electric franchise, and who led in the formation of the Union for mutual municipal protection and improvement. At the end of 19 years of service, Mr. Lighthall retires from the secretaryship, and in so doing has issued a valedictory address reviewing some of the achievements of the organization. In his valedictory he has also pointed out the power which the Union has made itself in Canada, the increased importance of its work during the years immediately ahead, and the opportunity which municipal office presents for public service of the most substantial kind. A set of principles, to which he has reduced the ideals for which the Union of

Canadian Municipalities stands, seems worth quoting here:

1. The Canadian people shall not be ruled by any irresponsible monopoly.
2. They shall not submit to methods of fraud or corruption.
3. There shall be no perpetual franchises.
4. Our heritage of natural resources affecting municipalities must not be sold, but leased, if not publicly operated.
5. One generation cannot legislate away the rights of another.
6. Municipalities must control their streets.
7. Each Canadian shall have a fair deal from all who are granted corporate or other public privileges.
8. Some court or council must always exist free and equipped to enforce the fair deal.
9. The life of the poorest citizen must be made worth living, through his share of the best civic conditions and services.

Reprinted as a Pamphlet from the
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The Assessment of Real Estate

By LAWSON PURDY

President, National Municipal League; General Director, Charity Organization Society of New York; for eleven years President, Dep't of Taxes and Assessments, City of New York.

¶ Describes the type of organization and principles of administration best adapted to the task of assessing real estate in American municipalities—the mature conclusions of a notable tax administrator.

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VIEWS AND REVIEWS

I

An important theory of the founders of municipal research ran somewhat like this: "We will classify municipal expenditures crosswise and vertically like a chocolate layer-cake, analyze them, clarify them, unit-cost them, and lay down automatic deadly parallels between each item of last year, this year and next. Then when the whole budget is published and brought up for passage, the city hall will be crammed with taxpayers, with fingers pressed accusingly against certain tell-tale mathematics, demanding, for example, to know why the street commissioner needs 186 new brooms when he cleaned the same yardage last year with 130."

With a sense of humor that is not altogether traditional among municipal researchers, Mr. Routh dramatizes in this issue the case of Rochester where, as elsewhere, the projected scene in the city hall failed to materialize. It is the great disappointment of the research movement.

But let us suppose that somehow a crowd were attracted to the budget hearing! The researchers, happily directing their fascinated eyes toward that perfect table of statistics as the chief executive explains the items, would yet be as aloof from that crowd as if it were still scattered on the streets outside. For the crowd is not interested in things but in men. While the executive talks, the perverse crowd is sizing *him* up. He wins favor for his plans regardless of what they may be, if he reveals to those candid eyes earnestness, simplicity, honesty, competency, humor, strength, kindliness, common touch. The fact that he has bulky shoulders may count as much as the savings on fire hose; a remark which indicates he loves little children is as potent as the falling death rate. His discussion of the budget is futile except as it serves to unmask his character and competency; it could be on another subject just about as well and is soon forgotten. But his hearers will not soon lose the impression that they do, or do not, trust that man.

For a second example behold the numerous candidates this fall who denounce prohibition and win on an issue that is legally dead!

Thus we find ourselves back at the one function which the people can and do do well—the selection of representatives, of men who are "our own sort" and with whom we will cheerfully stand or fall. The budget hearing is one more case in our politics of "duties" unavailingly thrust upon the people to perform, another failure to make the collar fit the horse. The people have neither the preparedness nor the disposition to govern, just as they have no hankering to manage the corner grocery that serves them. They only want opportunity to switch their patronage if a new set of managers shows signs of better appreciating their desires.

II

The correct program for the researchers now is to fetch into the city hall a balanced group of uncontrolled sample citizens, including all varieties of race and condition and all grades of prejudice and ignorance, charged with responsibility by virtue of the fact that they have been popularly elected to give attention to just such matters. To such a jury, dull things can be explained. From it can be secured that attention and appreciation which good work readily commands when viewed at close quarters. Against the sneers of prejudice, this jury's endorsement is a bulwark to the administration, e.g.—"The council went into that matter carefully and your own representative and neighbor, Jerry O'Sullivan, was one of those who voted for it and you know *his* heart is in the right place!"

Our model charter correctly vests all power in a council, of a size that increases with the size of the city, elected by proportional representation and so purely representative in function that any man eligible for a jury and well enough regarded to pass a spot-light election, will be an entirely suitable member.

—As a defense from the possible scorn of some sensitive researcher, let the writer of these observations here hasten to record appreciation of the fact that although the research movement has not brought science into politics, it has most happily brought science into administration and constitutes to-day the prime hope of reform!

III

A variation of this misconception of the people's part in government often is seen in election appeals; in the Mitchel-Hylan contest in New York city, for example. By every variety of research-bureau proof, the Mitchel régime deserved re-election. When Tammany cried "Dreamland scandal," Mitchel replied with a pamphlet of incontrovertible facts—32 pages—which the public did not read. When Tammany denounced the Gary schools as inventions of the devil and the steel trust, Mitchel's side had abundant data ready but the best "argument" was a bare endorsement secured from some labor leaders who visited a Gary school. The real question was always—"which side do you trust?" and Tammany and Hearst sowed distrust. The peak of their campaign was the triumphant discovery that one of the Vanderbilts called Mitchel "Jack." Thus while the Mitchel forces talked municipal technique, Tammany and Hearst disparaged Mitchel as a representative, building up a false picture of him that lasted through election day.

So long as we hazard a city's fate on a single personality, such slanders will be available instruments of politics. No single individual can be representative of a cosmopolitan city; the various elements of a great mixed majority can always be shown that he is not their kind. Not until the rulers of the city are made so numerous (as in a dominant council) that every section does have its own natural spokesman at the city hall, will we reach a stability whereon good administration can confidently be erected.

RICHARD S. CHILDS.

TWENTY-FIFTH ANNUAL MEETING

OF THE NATIONAL MUNICIPAL LEAGUE

TO BE HELD AT CLEVELAND, OHIO, DECEMBER 29, 30 AND 31

THE feature of this year's annual meeting of the National Municipal League will be a Moot State Constitutional Convention for the purpose of eliciting the current concensus of opinion among American civic leaders and political scientists on the various questions involved in the revision of a state constitution. The composite result of these sessions will be referred to our committee on state government with instructions to draft a complete model state constitution comparable to our model city charter for submission to next year's meeting of the League.

The co-operation of the special societies in the field has been promptly and enthusiastically forthcoming. They will supply drafts of model constitutional provisions in their respective fields and defend them on the floor of the convention.

TENTATIVE PROGRAM

Monday December 29—10 A. M. AND 2 P. M. CONSTITUTIONAL CONVENTION

Presentation and explanation of all proposed provisions. Questions and five-minute speeches from the floor. No voting except such trial votes by show of hands as authors of amendments may request for their own guidance. Matters on which no opposition appears may be declared by the chairman, after warning, to be adopted, and will be omitted from the calendar on Wednesday.

1. Governor and Legislature; single house; state manager
   By the National Short Ballot Organization
2. Proportional Representation
   By Proportional Representation League
3. Budget
   By Governmental Research Conference
4. Judiciary
   By American Judicature Society
5. Civil Service
   By National Civil Service Reform League
6. Municipal Government
   By Committee on Municipal Program
7. County Government
   By Committee on County Government
8. Initiative and Referendum
   By National Popular Government League
9. Debt Limitations
   Committee of One, A. N. Holcombe
10. Legislative Procedure
    Committee of One, H. W. Dodds
11. Elections and Suffrage
    By Honest Ballot Association
12. Labor
    Committee of One, Joseph P. Chamberlain
13. City Planning and Excess Condemnation
    Committee of One, Frank B. Williams

Topics not yet assigned: Taxation, Amendments, Bill of Rights, Education, Public Utilities, Limitations on Legislation.

8 P. M. The Secretary's Annual Review
Election of New Council

Tuesday December 30—10 A. M. THE FATE OF THE FIVE-CENT FARE

Report of the Committee on Public Utilities, Delos F. Wilcox, Chairman

One-man cars, zone fares, standards of valuation, extensions by assessment on property benefited, use of public credit, discussed by various speakers

3 P. M. With Political Science Association and Governmental Research Conference

THE NATIONAL BUDGET BILL

Hon. James W. Good, Chairman Appropriations Committee, House of Representatives and others

7 P. M. The Public Servant Question

Wednesday December 31—10 A. M. AND 2 P. M. CONSTITUTIONAL CONVENTION

Presentation of Constitutional Provisions for adoption under parliamentary law.

8 P. M. LANTERN LECTURE

War Memorial Buildings. Walter Storey, Bureau of Memorial Buildings, War Camp Community Service

DEMOCRATIZING THE SCHOOL-HOUSE

BY LOUIS HEATON PINK

Brooklyn, N. Y.

THE public school is the bulwark of democracy not alone because it is the melting pot for our children. Immigration is constantly changing the face of our great cities, and men and women from all corners of the earth must be brought to a realization of brotherhood and Americanism. We are very much alike no matter from where we hail nor what God we worship. The problems of day to day life are the same for all.

The school-house is the bond of union for adults as well as children.

It is almost trite to speak of the wider use of the school. Every one nowadays believes in it. Yet there is still missionary work to be done, for of 603 cities with a population of over 50,000 reporting, only 129 use schools for social centers and but 23 for polling places. (U. S. Bureau of Education Bulletin No. 28.)

Woman suffrage and the cleansing of elections has brought the school building into use for election purposes.

It is difficult to realize that fifteen years ago Worcester, Massachusetts, was the only large city that used its public buildings for polling places. It seemed the logical thing to do, and Worcester did not know that it was doing anything out of the ordinary.

Los Angeles in 1911 began the crusade for the use of public buildings for elections. Unlike Worcester, this snappy Western city realized that it had done something worth while and beat the drum, awakening other cities to the opportunity. Grand Rapids, Milwaukee, Madison, Salt Lake City were quick to follow; and New York, Chicago, San Francisco and Denver next came into the fold.

New York, in 1915, designated 21 school buildings to "try it out." The results have proven satisfactory, and three years later, 482 school buildings were used.

Chicago votes in more than 100 public buildings and uses fire houses and police stations as well as school buildings.

Nowhere has the plan failed nor caused unreasonable interference with regular school work.

There are in New York over two thousand election districts and about one-third as many schools. But if the law is amended to permit several districts to vote in the same building it is a safe estimate that the schools can accommodate half of the polling places. The money saved to the city by the use of school buildings would support the entire recreational and community center work of the board of education which has been seriously curtailed for the sake of economy.

The main reason for voting in schools is educational. It establishes the school-house as the capitol of the neighborhood—the common meeting place of the people, the backbone of our American democracy.

PINGREE OF DETROIT—DEMAGOGUE OR STATESMAN?

BY WILLIAM P. LOVETT

Executive Secretary, Detroit Citizens' League

How much does Detroit owe to Hazen S. Pingree? To how great a degree must his flaming leadership of a quarter-century ago be credited with the facts that Detroit, at the close of the war, is bursting with prosperity, claiming a population of 1,000,000 and a rating as fourth city of America in size, besides showing concrete proof of achievement in municipal government and civic affairs? Did Pingree lay the foundations for present constructions? Did he inspire the city and its people to rise above the average? Or was he a false alarm, a mere sensationalist, a corporation-baiter, more demagogue than leader, more charlatan than statesman?

I

On the negative side the hater of Pingree—most people either idolized or despised him, there was no middle ground—can find ready at hand, up to the minute, an entirely plausible list of points on which to base an indictment. His address to the jury might truthfully run like this:

> Nobody in Detroit believes Pingree had anything to do with our past ten years of industrial growth. That has sprung from the establishment of the business of making motor vehicles, whereas Pingree made shoes. Our steady increase in population is the result of industrial enlargement, with high wages. Our governmental reforms might better be traced to Henry M. Leland, a man quite the opposite of Pingree in ideas and methods. And we are "the largest no-license city in America" because the people of Michigan made us that, in spite of our saloon majority.
>
> That Pingree was a failure is evident when you consider that it is now thirty years since he began his fight for municipal ownership of street cars, yet the people of Detroit last April again voted down a definite plan for municipal ownership of the entire city railway system. At this moment the Detroit street railway commission is investigating the Cleveland plan whereby, through the Taylor ordinance, the city secures public control with private ownership. In Detroit the people face a desperate situation: natural expansion of the city in all directions is hindered by lamentable lack of transportation facilities and nobody has a real policy for getting the city out of the hole it is in. For thirty years the city has been dragged through the courts, and has dragged the street railway companies through the courts, with frequent appeals to state and national supreme courts—and in the words of ex-President Taft, "Detroit is still hanging by the gills."
>
> That is how far Pingree got in actual accomplishment. He failed to solve the street car problem, by suggestion or deeds. He vainly fought combinations of capital in public utilities even foolishly promoting local competition in street railway transportation. He fathered primary reform and higher taxation of public utilities. He failed to get the latter, and the former, now that we have it, looks to a lot of people like a gold brick. They want to sell it to somebody else.

Now the facts for the jury to consider on the favorable side are that Pingree, four terms mayor of Detroit and two terms governor of Michigan, was not only a big noise but a big power; that during his eleven years of public service from 1890 to 1900, inclusive, he was like Roosevelt as a turbulent force and also as an actual man of achievement; that the category of his achievements is more than twice as long as that of his apparent failures; that the verdict for Pingree in Detroit is to-day universally admitted; and that the one influential newspaper which most consistently has fought municipal ownership, in the last campaign joined with the rest of the city in accepting it as a principle.

II

Pingree was by no means "the scholar in politics." He enjoyed being dubbed "a bull in a China shop." Napoleonic in militancy, he was officious, often unreasonable, in his moods. Being at the start no politician, he tried to learn the game and, with plenty of help, played it craftily. But before running for the mayoralty he was a success in business. His shoe factory, started in 1866 with $1,360, came to operate with 700 employes, who turned out yearly a business worth $1,000,000. He had an enviable record for three years in the Civil War. When Detroit organized in 1892 its first board of commerce, Pingree was a vice-president. He entered the office of mayor January 1, 1890, having been elected as a citizen and business man who hated politicians.

He was started on his tempestuous career, after nine months of quiet sailing, by a strike, followed with rioting, on the part of street car employes. Appearing for the time in the rôle of demagogue, the mayor sided with the strikers and thereby began a decade of fighting private corporations in the interests of the "common people." He died suddenly in London June 18, 1901, just after completing his four years as governor.

Pingree's potato patches, which brought him national vogue, were rather an index or symptom than a contribution of economic worth; they showed his bent of sympathy for "the under dog." The plan was a success during the summers of 1894–97, in Detroit and a score of other cities, in that food products were supplied at low cost to hungry families, and men unemployed had something to do. The idea originated with Captain Cornelius Gardner, U. S. A., to whom Mayor Pingree delegated charge of the first 430 acres, from which 945 families were fed.

There you have visualized the Pingree mental bent on public problems. He first sided with the workmen and against the street car company. Then he took issue with private corporations generally because he believed their charges were high, their profits unfairly large, and hence they were "a tax on the masses" who must use their products. His chief objective was to "get" the rich man or company dodging public burdens and make them pay. His warfare against corrupt politicians grew from his discovery of some of the sources of corruption. It also came about because he naturally fought all who stood in his way.

His picturesquely sensational methods were not assumed but came to him naturally. It was natural for him to announce in his 1891 campaign that he had been "offered $100,000 and the governorship" if he would stop fighting the street car companies.

He fought the corporations by continually vetoing ordinances passed by the council, and with equal vigor he fought "the immortal nineteen" in the state senate or the lobbyists who corrupted the law-makers. While other men, more gifted, wrote his state papers, he was abundantly able to do his own swearing. When the newspapers turned him down, he published his own bulletins, circulating them from the city hall steps. He stopped at Lansing a steal in military equipment, securing full restitution. He was an original advocate of primary election reform and popular choice of United States senators. The argument in both instances was that old methods led to bribery and corruption and defeated the will of the people.

Constructively Pingree established in 1893 the Detroit municipal electric lighting plant, at a time when the idea was new and costly; this plant, in successful operation, goes to-day to his credit. It cut the original cost in street lighting more than half. Declaring early for municipal ownership of street cars, Pingree procured for his home city three-cent fares on lines which were operating at that rate up to last July. Even in war time the company has been unable to raise the fare, with universal transfers, on its main lines above five cents. In 1898 it was said that 40 per cent of the people were riding at three cents.

Likewise the mayor who "would rather fight than eat" won substantial reduction in the price of gas, in 1892, and the next year met the alleged high prices of the Bell Telephone Company by organization of a rival concern. From his activities came the inspiration of Tom L. Johnson, then a Detroit street railway manager, whose personal campaign later was waged in Cleveland.

As governor he did not live to see the fruition of his efforts in every case, but other men did. He was defeated on his program for ad valorem taxation of railways, telegraphs, etc., even after a constitutional amendment had been passed by popular vote. But the utility companies have never gotten the upper hand in Michigan affairs from that time to this.

III

What thinks Detroit about Pingree? The same it thought during his whole lifetime, but with increased fervor. Then it never failed to elect and re-elect him to office, with large pluralities, often with majorities. He was far from being a voice in the wilderness, a prophet without honor in his own city. When he died the city and state joined in erecting to his memory a monument whose inscription names him as the "idol of the people," Detroit scatters busts and oil paintings of Pingree through its city hall and art galleries. It proves its heroic past by references to Pingree. When the present mayor last fall ran for office, a man unknown to political life, the strongest appeal his friends could make was to hail him as "a second Pingree."

His most bitter enemies never questioned Pingree's honesty. He may not have been a statesman—that would require an element of soft diplomacy which he abhorred. Neither was he, by choice, a politician. But, to quote a critical historian:[1]

> The worst that can be said of him in this respect is that he either shielded or pardoned those who abused his confidence; that he arrayed one class of the community against another; that he flouted the courts and taught others to do likewise. Of those numerous politicians who sought to use Mr. Pingree's popularity to further their own ends, it need be said only that they rarely succeeded in carrying out their purposes.

Whatever final history may say, Detroit believes Pingree served his city, his state, and his country with a distinction which stamped him as a man of real achievement. Detroit knows he was not a demagogue or charlatan. He was a real American citizen, a hard-hitting, courageous, honest, sincere friend of the people, a prophet of the new day which just now is about to dawn.

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[1] Charles Moore, History of Michigan, I, p. 583.

HUMANIZING THE BUDGET

BY JAMES W. ROUTH

Director, Rochester Bureau of Municipal Research, Inc.

I

From the standpoint of the average citizen, "the budget" signifies a mysterious something that indicates how much tax money he must part with. The reason why taxes amount to so much are more or less vague in his mind, and generally are viewed as penalties for earning money, owning property, being a citizen, or living. Recently, also, many tax burdens have been explained as due in some indefinite way to "the war."

Dwellers in our more progressive cities are becoming used to the term budget, and know that "the budget" is passed or adopted each year by the legislative branches of their local governments. Most of them, however, wouldn't know the budget, if they met it unlabeled, and it is doubtful if many would derive much information from studying the various compilations of figures it usually contains. If this is true, does the budget really accomplish its purpose?

In explaining the many excellent reasons for having a budget, there generally is included a statement to the effect that the budget forms the work program of the government. What is a work program? Is it a group of tables showing past expenditures and future desires, or is it a concise, understandable explanation of what the work of government has been and should and will be if certain funds are provided? Certainly a program includes more than an itemization of probable expenditures for such uninteresting things as personal service, fixed charges, maintenance and upkeep, etc.

In 1915, the Rochester bureau of municipal research was instrumental in installing a budget system, so-called, in Rochester. This system represented what was then conceded to be the best thought in executive budget-making. Even now it is considered a more or less model budget, and is the pride of the comptroller. In working for the adoption of the new budget idea, the work program argument was used heroically. Also, the holding of public budget hearings by the board of estimate and apportionment was advocated on the same ground. The adoption of the budget plan and the holding of public hearings both were a source of much gratification to the bureau. Last year the hearings were attended by one "interested citizen," one real estate operator, two newspaper men, four members of the bureau's staff.

This great display of public interest (?) in the government's work program was almost overpowering. It made for much secret and public cogitation on the part of those of us who were among those present. What was the reason for it? The answer is quite obvious. The lack of anything human, understandable, or interesting in the tabulation of figures that constituted the proposed budget.

"Work Program?" Surely! A program to work the taxpayer to the limit—gently, insistently, absolutely sub-rosa. The figures given were accurate, properly grouped and classified—admirable as a feat in accounting—but altogether lacking in significance to the uninitiated. No basis for discussion was given the public. No discussion was forthcoming. Hence, no objections, and the budget was adopted. Very simple.

II

All of this leads to one question. Of what public interest is a work program that does not state what work is to be done, but states only that because this or that unit of government spent so much in 1918, it must spend so much more in 1919? No one can become very enthusiastic over that kind of literature.

Isn't it possible for those who are interested in the development of the budget to humanize it so it will mean something to John Smith, who works in a factory, and owns a modest home on which he pays taxes? It would seem that a plan might be devised whereby the budget might include not only tables of figures—and those are essential, of course—but an understandable explanation of what the figures mean. For example, instead of indicating in parallel columns only "expenditures 1918," "authorization 1919," "increase or decrease," go a bit further and explain the why of the increase or decrease, and don't limit the explanation to salary increases or statements of that kind. The average citizen wants to know what kind of service he is receiving for his tax money, not what portion of it goes for "personal service," "capital charges," or "upkeep." So many things can be included under those general headings! Surely some of them may be interesting. Possibly some should not be there at all.

The first budget hearings in Rochester were well attended. Much interest was evidenced by various civic organizations and by many private citizens, but no real information was forthcoming in response to questions that obviously reflected lack of definite information as a basis. In one particular, the question was asked if the request for some $150,000 for the health bureau contemplated the purchase of a much needed ambulance for the municipal hospital. After much discussion and reviewing of past attempts to get the ambulance, it finally developed that no one knew whether or not the request did contemplate the purchase. A certain sum had been expended the year before for additional equipment, and the basis for the request was not need, but the previous expenditure. There are reasons why budget hearings are a farce in Rochester.

It may be argued that the procedure is a fault here. Undoubtedly there is room for much improvement, but the real trouble lies deeper than this. It is in the "budget" itself, that is no work program, simply a group of uninteresting tables of figures. The public is interested in *service*, not statistics. A real budget it seems might appraise service, might measure quantity and quality of return for moneys expended. And a work program should indicate the direction of improved service and the kind and value of that service.

III

Would not public interest be stimulated in matters of government if the budget were made a real work program and used as educational propaganda? Public officials undoubtedly would object to begin with, at least those of limited vision, but when the advantages of an approving public opinion were felt, the chance seems slight that such objections would persist. The pet projects of many a department head are neatly dispatched—without pain or muss—by the visionless reviewing body that "cuts" requests here in order to pad them there.

This might be avoided by making the public see the return from proposed expenditures; by picturing the growth of the community and the consequent requirements for additional quantity of service; by measuring the quality of service rendered and the improved quality possible. If the picture cannot be drawn in the limit of one year, prepare a work program for five or ten or twenty years. Take the available school facilities, compare them with those necessary for next year, and for ten or twenty years from now. What money provision must be made next year and the following years to provide school space and other facilities for the children of the community? The city is expanding; its population also is increasing; it is becoming more densely built up, more streets are paved or need to be paved. What are the money requirements to meet these demands for increased quantity of service?

A certain standard is observed in the quality of service rendered by the city's street cleaning forces. Streets are cleaned with certain frequency, refuse is collected at definite intervals. Is it for the good of the community to improve the quality of these services, and if so, what additional cost will result?

These are simply random examples. It seems possible, however, that an understandable, comprehensive, "humanized" budget might be developed that would tend to improve the quality and quantity of public service. In so doing might it not incidentally awaken some of our sleeping, indifferent citizens to an active interest in the affairs of their community? These things may not be included in the purpose of the budget—but what is that purpose?

THE CONTRALOR GENERAL DE MEXICO

BY THOMAS R. LILL

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The movement now on foot for the establishment of the office of comptroller general in the United States gives added interest to the recent successful creation of a similar office in Mexico, as an outcome of recommendations made by Henry Bruere, former city chamberlain of New York City, who visited Mexico during 1917 at the invitation of the Mexican government. :: :: :: :: :: ::

The creation of the office of Contralor General was authorized by the Mexican Congress in December 1917. The law providing for the organization and defining the powers and duty of the Contralor was signed by President Carranza on January 18, 1918.

Before proceeding with the description of the organization, it may be interesting to give a short summary of events before President Carranza assumed office.

In 1916, after having been successful in the field, Carranza called a constitutional convention which was held in Quererto, February, 1917. The constitution adopted at this convention became effective May 1, 1917. At a general election President Carranza had been elected president and took office on the same date.

The condition of the country at the time was deplorable. When Diaz resigned the presidency in 1911 and Madero assumed office there was approximately 72,000,000 pesos in the treasury. Madero used a very large portion of this amount during his régime and Huerta disposed of the remainder. In addition "The Usurper," as he is called in Mexico, floated a large loan in Europe, the proceeds of which were entirely disposed of before General Carranza took office. Carranza's campaign was financed entirely through the issuance of fiat currency together with the normal revenues of the territory under his control.

The latter part of 1916 saw the elimination of fiat currency as a medium of exchange. Bank note circulation also had greatly depreciated in value as a result of measures taken against the banks. The result of these occurrences was the forced adoption of a strictly metallic currency.

When General Carranza took office the country had practically been in a continuous state of revolution for seven years. The governmental organization had become completely demoralized, and as a result of the World War the revenues from customs, the main source of revenue in Mexico, had greatly decreased at the very time when increased revenues were necessary.

FINANCIAL DIFFICULTIES

The budget system of Mexico, as gradually developed under Limantour, was excellent. The departments submitted their departmental estimates to the secretary of the treasury who scrutinized and printed them in an orderly arrangement and submitted them to congress together with a statement from him as to how the necessary revenues were to be procured. The budget was usually accompanied by a message from him describing the financial condition of the country and the results of operations for the preceding year.

During the last years of the Diaz administration the budget ranged from 100,000,000 to 110,000,000 pesos, and sufficient revenues were collected to leave a surplus at the end of each year. This included the necessary charges for interest and amortization of the public debt. The budget for the fiscal year ended June 30, 1918, amounted to approximately 177,000,000 pesos without taking into consideration the public debt. Shortly after this congress changed the fiscal year to correspond to the calendar year and a new budget was passed for the calendar year 1918 amounting to 187,000,000 pesos, likewise excluding charges for public debt.

The expenditures authorized by the two budgets referred to were far in excess of the estimated revenues, but in view of the condition of the country probably represented its approximate needs.

The revenues of the nation being inadequate for the expenditures authorized by congress, the government was confronted with a monthly operating deficit of about 5,000,000 pesos which was covered by loans from banks in Mexico and United States. Steps were taken to increase revenues and they are now larger than ever before in the history of Mexico, but not yet sufficient to provide for all the needs of the government.

With a monthly operating deficit it was realized by the government that real and effective economy in expenditures must be had and as a means of securing it two measures were adopted; viz., the establishment of the office of "contralor general of the nation" who was responsible directly to the president, and the introduction of a monthly budget and allotment system which was made effective when once control was established over expenditures. (The question of budget reform is not here discussed.)

THE CREATION OF THE CONTRALOR

In accordance with the recommendations of the commission, the Mexican house of representatives the latter part of 1917 passed a law creating the Departmento de Contraloria. This law was very short and contained no provisions whatever for the organization of the department. When it became assured that congress would authorize the creation of this department work was begun on providing for its organization and defining the powers and duties of the contralor.

As originally recommended, it was proposed to establish the office of the contralor as a part of the treasury. With increased knowledge of governmental needs as a result of continued study it was, however, realized that the basis for any effective reform was to separate the responsibility for accounting from the responsibility for collecting and disbursing public funds.

After a number of conferences with members of the commission, including the acting minister of finance, Mr. Nieto, this reform was agreed to. The law providing for the organization of the office of contralor general was signed by President Carranza on January 18, 1918. In a protracted conference with him regarding the bill he stated that it represented what he thought was necessary to secure the results desired.

It is not modeled upon the system in vogue in any other country, nor was any attempt made to introduce any original features. The writer is familiar with the administration of a number of foreign countries as well as with that of the United States, and the only object aimed at was to secure as effective and simple an organization as was possible. To do this, modern business methods such as now obtain in corporate practice were followed as far as possible.

The organization in Mexico was peculiar in that there were two departments of the government charged with the duty of auditing and examining accounts—the treasury department and the contaduria mayor, which was responsible solely to congress. The annual account was prepared by the treasury department and forwarded to the contaduria mayor for re-examination. All original documents pertaining to the collection and disbursement of public funds after being examined in the treasury, were also sent to the contaduria mayor.

The officers and employes of the contaduria mayor were appointed by, and were wholly responsible to, congress.

This plan of a double check, or perhaps it would be better to say a congressional check, of expenditures has never worked well. It required at least a year for the treasury to complete its work and forward the accounts to the contaduria mayor. This organization took at least another year, so that financial reports were usually from two to three years late.

The essence of reporting is to supply information as quickly as possible after the event, and the new contralor law provided for monthly and annual statements. In creating the departmento de contraloria it was desired for purposes of economy and efficiency to suppress the contaduria mayor, or at least modify its work. If congress still desired to have its own representatives examine and report upon the annual account rendered of the executive branch of the government it was recommended that the office be reorganized along the lines of a modern certified public accountant's office, and that it maintain constant supervision over the work of the contralor through a force of men working in that department.

It was realized by the officers of the government that this department was not effective, but for certain reasons it was not considered advisable at that time to modify its organization or duties.

To carry out the idea of having the contralor acceptable to the chief executive and congress it was proposed to have the contralor appointed by the president upon the advice and consent of congress. It was thought that such a procedure would satisfy these two branches of the government. This proposal, however, was not agreed to by President Carranza and the law as finally approved provides that the contralor shall be appointed by the president and that he shall be removed by him at his pleasure.

THE CONTRALOR'S POWERS

The problem of exercising effective control over public funds and property has to do in its simplest form with the following:

1. The collection, custody and expenditure of public funds.
2. The acquisition, custody and disposition of public property.

All of these matters were effectively covered by the contralor law with the exception of that relating to the disposition of public property which through an oversight was not properly covered.

The departmento de contraloria in Mexico has an auditor general, a chief accountant and a chief clerk and a corps of regional auditors and such other officers or employes as are necessary. The contralor has exclusive jurisdiction over all matters relating to the audit and liquidation of the accounts of officers and employes charged with the receipt, disbursement or custody of government funds or property; over the liquidation of all debts, or claims of whatever nature in favor of or against the government; and over all accounting procedures; the preservation of vouchers; and has the power to inspect the accounting books, records and documents of any department of the government.

The decisions of the contralor general regarding the scope or purpose of an appropriation, special fund, or reserve, the application of any revenue, the legality of any disbursement or the disposition of property is final upon the executive branches of the government.

The contralor general is charged with the duty of keeping the accounts of the nation. He likewise prescribes the method of accounting and of rendering financial reports of all branches of the government. He is authorized to prescribe the procedure to be followed by officers and employes handling government funds or property, to prescribe the form of accounting books, receipts, vouchers and all other documents relating to the receipt and disbursement of funds or property. He may also require daily, weekly, monthly or special reports from any officer of the government.

An innovation introduced in Mexico was to give the contralor general the power to investigate the operation of any department of the government for the purpose of introducing better business methods, and of securing economies in operation. He was likewise authorized to make recommendations and suggestions regarding the annual budgets of the officers of such departments.

The contralor general, or any officers or employes duly authorized by him, is authorized to take evidence regarding matters within his jurisdiction. Punishment was provided for false testimony. To secure more effective administration of the federal business in the various states and territories, a corps of regional auditors was provided for, and it is proposed to establish a branch office of the contraloria in each one of the states and territories. This procedure is similar to that introduced in the Philippines by Governor-General Forbes.

DEVELOPING THE PROCEDURE

Within the City of Mexico, where the largest bulk of expenditures are made, the pre-audit system was introduced and it is hoped gradually to introduce this same system in the territories outside of Mexico City.

The procedure for the payment of claims is as follows: The claimant presents his bill to the department which incurred the debt. If approved by the department a warrant drawn to the order of the creditor is forwarded together with the original documents to the contralor general. After proper audit it is countersigned and forwarded to the treasury for payment.

Officers and employes of the government were prohibited from entering into any contract or obligation involving an expenditure of public funds unless there was an appropriation therefor, the unexpended balance of which, free from all other obligations, was sufficient to cover the expenditure involved.

Contracts exceeding 2,000 pesos were not valid unless countersigned by the contralor whose certificate was required to be attached to and became a part of the contract.

The contralor fixes the amount of the

surety to be given by each officer of the government and passes upon the validity of the surety offered.

One of the last articles of the law provides that all work relating to the audit and liquidation of accounts, as well as all employes engaged in such work are transferred to the departmento de contraloria.

This article has reference to the problem always present in government of the duplication of accounting work throughout the government. To what extent should the head of a department be permitted to indulge his proclivities for accounting?

Adequate information regarding the activities of a department is necessary for the proper administration of that department, but it is very hard to draw the line between the accounting which should be done within the department and the accounting which should be done by a comptroller.

To solve this problem the contralor general was made the judge as to what accounting should be done within a department. The head of a department must first go to the contralor and make a requisition for certain information. If such information can be procured from the contralor's books, no additional expense is involved. If, however, the contralor cannot furnish the information desired by the head of a department, he may authorize the department head to secure that information for himself.

I have referred to warrants being presented to the head of the department which incurred the debt. This now refers to the department of supply which was organized some months after the departmento de contraloria. In place of having anywhere from one to five hundred purchasing agents scattered throughout the various departments of the government, all purchases are now made by one man.

A new accounting system was installed in the central office of the government, including the necessary ledgers and forms. A new system was likewise installed in the customs service, internal revenue service and the twenty-eight sub-treasuries, as well as for the use of the disbursing officers scattered throughout the republic.

SUCCESS OF THE CONTRALOR SYSTEM

Hundreds of thousands of pesos have been saved by President Carranza with the assistance of the contralor general, Francisco Gonzalez, who has been a business man all his life and has never had any previous connection with governmental work.

Early in January of 1918 President Carranza approved a proposal for a monthly budget and allotment system. Each head of a department is required to submit a request to the president for the funds necessary to run his department for the succeeding month. These requisitions are carefully scrutinized, tabulated and after being approved by the president are forwarded to the contralor for his information and guidance. These monthly allotments are placed upon the books and through the effective control maintained, expenditures of a department are limited to the amount authorized by the president.

The economies secured in Mexico are very largely due to President Carranza himself. He spent a great deal of time in examining the different items in the budget and was always able to secure information regarding the different activities in any department from the contralor general.

The monthly pro-rata of expenditures of the government as authorized by the budget aggregated 16,500,000 pesos per month. Due to the forceful methods of President Carranza these were reduced through the monthly budget and an effective control to approximately 10,500,000 pesos per month.

It appears not to be the fashion of the United States to say anything complimentary of President Carranza or of the members of his government. He is, however, very observant and has well defined ideas as to what should be done. During a conference regarding the administration of the customs he stated that considerable economies should be made in the administration of this branch of the service, because he had observed in the custom houses along the border that there were a great many more employes in the Mexican custom houses than in the American custom houses.

The results obtained have fully justified the action of the Mexican government in establishing the office of contralor general.

THE FATE OF THE FIVE-CENT FARE

VI. THE MUNICIPAL STREET RAILWAY IN SAN FRANCISCO

BY M. M. O'SHAUGHNESSY

City Engineer of San Francisco

The successful operation of sixty miles of street car lines by the city of San Francisco has long been a favorite citation of the advocates of municipal operation. The enterprize is beginning to borrow pay roll money from its depreciation fund and is evidently not immune from the prevailing malady of high costs. :: :: :: :: :: ::

SINCE the beginning of street railway transportation San Francisco has been well to the front. It was here that the first cable car in the United States was operated, because of the fact that San Francisco is built on steep hills, making it almost impossible for the city to expand unless power-operated vehicles were employed, the grades operated over being in some cases as steep as 21.3 per cent.

The city was not slow to take up with the electric railway as soon as satisfactory equipment was assured and all of the present street railway mileage, where it is possible to employ electric power, is so equipped. There yet remain a number of grades over which it will probably always be necessary to operate by means of cable.

Following the natural tendency to keep to the forefront in urban transportation matters, San Francisco also was the first in the United States to take up municipal ownership by the construction and operation of electrically operated street railway lines.

THE TRACTION MAP

The present mileage within the city consists of 360 single track miles of railway. Of this, 25 miles are operated by cable, and 335 miles by electricity. The electric lines are all standard 4 feet 8½ inches gauge, the cable lines 3 feet 6 inches gauge. The 360 miles of road are operated by two companies and the minicipality. The California Street Cable Railroad Company operates a little over 10 miles of single track, using 38 cars.

The United Railroads operates approximately 286 miles of single track, and owns about 700 electric passenger cars. The municipality operates close to 64 miles of single track line, owning and operating 195 electric passenger cars.

San Francisco has always been noted for the large number of passengers carried per car mile operated. This is due to the fact that the street grades are so steep in places as to be unpleasant for walking. The natural arrangement of the city is also conductive to riding, as all of the business portion is located at the northeast corner of the peninsula upon which San Francisco is built. This means that all of the population going into the business district or leaving San Francisco for the eastern side of San Francisco bay must go to one side of the city. This makes the average length of travel much greater than would be the case if the business district were at the geographic center.

Another condition which is peculiar to San Francisco is that Market street, 120 feet wide, the main business street, is diagonal to all of the northerly intercepting streets. This creates a congested condition, particularly so as the grades are very good and the distance between any two points close to Market street is very much less by that thoroughfare than via any other route. At the foot of this street is the Union Ferry Terminal, out of which operate ferry boats connecting with three transcontinental railways, railway lines north and south through California, and three suburban lines serving the population of Oakland, Berkeley, Alameda, and Marin county on the east and north sides of the bay of San Francisco. Over 60,000 commuters alone daily pass through this terminal.

This strategic position of Market street has provoked difficulties in connection with the operation of the street car lines, as will be brought out later.

THE MUNICIPAL LINE

Prior to the fire which destroyed a large part of San Francisco in April, 1906, plans had been prepared and funds secured for the acquisition by the city of the Geary Street Park & Ocean Railway. All thought of taking up this work was banished by the disaster, the money which had been appropriated for the railway work being used for the reconstruction and rehabilitation of streets and buildings. The Geary Street Railway's franchise had expired in 1903 and the company had been operating on a temporary month-to-month permit, paying into the city's treasury 5 per cent of the gross revenue. Following the fire they reconstructed their property and continued operating under this arrangement. After several unsuccessful attempts there was passed on December 30, 1909, at a bond election, a proposition calling for the expenditure of over $2,000,000 for the construction of a little over 15 miles of single track overhead trolley electric railway over the old route of the Geary Street Railway, with extensions to the ocean on the west and the ferry on the east. This work was in part completed and placed in operation on December 28, 1912; the remaining portion being placed in service June 24, 1913. This railway was very successful from the outset, bringing in almost $500,000 in gross receipts the first year of its operation, with a passenger car revenue amounting to 34.19 cents per mile.

At the time this road was finished the city was compelled to plan for the traffic of the Panama-Pacific International Exposition. This exposition was to be held in a portion of the city which was not adequately served by street railways. The privately owned roads declined to make the necessary extensions to serve the exposition. Plans were then made for greatly enlarging the Municipal Railway System and in August, 1913, a bond issue to the amount of $3,500,000 was voted by the people for the primary purpose of serving the exposition needs. This bond issue was to construct some 25 miles of additional single track and to purchase 7.8 miles of single track of the existing Presidio & Ferries System. Not only were these lines to serve the exposition but the routes were so laid out as to create the main trunk lines of a system reaching to a number of the important parts of the city, including a line along Market street. The work called for by the bond issue, except that on Market street, was carried out as per schedule, being ready for service prior to the opening of the exposition in February, 1915, the gross receipts from June 30, 1915, to June 30, 1916, amounting to almost $2,000,000.

In 1916 the matter of constructing a line on Market street was again taken up. A great deal of opposition from the existing private corporation against building parallel outer tracks was encountered, resulting in the matter being carried to the supreme court of the United States. The city, however, after winning all of its contentions was able on June 1, 1918, to commence the operation of its cars along the full length of Market street over new tracks built outside of those belonging to the United Railroads. Market street now has four car tracks on it for its full length. As the street is 120 feet wide this does not interfere with vehicular traffic, although it prevents the parking of automobiles on the street at a number of points.

In addition to the lines which were built out of bond issues the city has built a considerable number of miles of line out of earnings. At the present time the city has approximately $6,750,000 invested in its railway system, $1,000,000 of which came from earnings. During the past year it operated over 7,200,000 car miles with net passenger receipts of nearly $2,500,000, the revenue per car mile being a little over 33½ cents. Almost 60,000,000 passengers were carried.

THE DECLINE IN REVENUE

When the road was first placed in operation the conductors and motormen were paid on the basis of $3 per day of eight hours. This was later increased to $4, then to $4.50, and beginning with July of this year the wage is $5 for eight hours time. The wages paid by the United Railroads are lower, running from 46 to 52 cents per hour, but the men may work more than eight hours per day and every day in the month if they so desire; thus the average monthly pay of a man employed by the private corporation is greater than that of a man employed by the municipality where they are limited to eight hours per day and six days per week.

As indicated before, the passenger car revenue per car mile in 1912 amounted to over 34 cents. For the past fiscal year this same revenue was but 33½ cents. During the same period the operating expenses have increased from 15.9 cents to over 26 cents per car mile. There has been no increase in the rate of fare, while the average length of ride per passenger has been very materially increased. Increased expenses of operation have been met out of net earnings. Beginning with the first of July, 1919, when the last increase in wages was made, there will be no net income out of which to meet increasing costs or extensions with a continuation of the five-cent fare. Heretofore it has been the custom to set aside 18 per cent of the gross passenger receipts to cover depreciation and to provide a fund out of which to pay damage claims. These funds are the only place it seems possible to secure the necessary money to meet the expenses. The percentage which has been set aside was very carefully determined at the time that we commenced operating the road. Other roads operating similar systems are allocating to depreciation reserve about the same percentage of their passenger receipts. In order to meet the July pay roll a small amount has been borrowed from this fund, although as yet no definite action has been taken by the board of supervisors of San Francisco as to the final policy which will be pursued.

The privately owned railway lines have not agitated for an increased rate of fare although the reports given out by the companies indicate that the companies did not meet their operating expenses and fixed charges during the past year, and they have not for a number of years paid dividends. Due to a number of causes it is very undesirable upon the part of the corporations to increase their rate of fare. This is partially due to the competitive nature of the Municipal Railway and the privately owned roads, and also because their franchises stipulate that the fare shall not exceed five cents. It is equally true that it is very undesirable for the city to raise the rate on the Municipal Railway as it would immediately justify any claims the privately owned lines might make for a similar fare, at the same time causing unfavorable comment from the opponents of muncipal ownership.

Within the past two weeks the transbay ferry lines have increased their cash fare rate to Oakland, Berkeley, and Alameda, from 11 cents to 15 cents, and the commutation rate from $3.30 to $4. The whole matter of street railway operation is being watched with considerable interest by all parties, but at the present time there is no surface indication of any change in street railway fares or operating methods. Taken on the whole, San Francisco, having one mile of single track for each 1,600 inhabitants, is very well provided with railway service of a high class.

While not wishing to advocate the increase of street railway fares at this time, it is my opinion that the traveling public can only expect to get what they pay for and that in any community served with street railways it is much more desirable that the returns to the corporation or to the municipality be sufficiently high to insure first-class service rather than to retain a low fare and allow the service to deteriorate.

THE FATE OF THE FIVE-CENT FARE

VII. TORONTO STICKS TO 3.9 CENTS

BY GEORGE H. MAITLAND

Municipal Editor of the Toronto Star

In Toronto, Canada, the replacing of a five-cent fare by something higher has never been discussed, for the very good reason that there is no five-cent fare to replace. The average fare on the lines of the Toronto Railway Company is less than four cents, and under an agreement dating back to 1891 this fare cannot be increased. :: ::

UNTIL recent years, the street railway company which handles the major portion of Toronto's traffic made money on fares averaging 3.9 cents. These fares are still in force, and will be until the city takes over the system on the expiration of the franchise in 1921. They run as low as eight tickets for 25 cents at the hours of maximum traffic, and all fares include universal transfer privileges over the company's system. During the hours mentioned, it is thus possible to ride more than 11 miles for a little over three cents. Yet the company has not only paid dividends running as high as 8 per cent, but has paid to the city, in addition to general taxes, no less than $13,500,000 since it secured its franchise in 1891. These payments take the form of mileage charges and percentages of gross revenue called for by the company's agreement with the city.

The Toronto Railway's financial success was due to the limitation of its service to the territory which comprised Toronto in 1891, when it secured its franchise, and—so say citizens at any rate—to the inadequate accommodation which it afforded passengers even within those limits. However that may be, its financial success is admittedly a thing of the past. High costs of labor and material, operating against a stationary fare, have put it in a position where it cannot make money. If it holds its own until the city takes it over, it will be doing well.

"HABITAT" OF THE TORONTO RY.

Toronto has a population of 499,278 and an area, exclusive of marshlands and water, of over 32 square miles. In the central part of this area, within the 16.23 square miles which formed the city in 1891, squats the system of the Toronto Railway Company, with one tentacle reaching outside these boundaries into the ward known as West Toronto. That is, the ramifications of the system are confined to the business section and older residential sections of the city, comprising about one-half the present area. The population within these limits of 1891 is to-day about 365,000. An additional 35,000—perhaps slightly more—live reasonably close to the terminals. That leaves 100,000 people out of the city's 500,000 who have either to walk an undue distance to get a car downtown, or else must pay two fares by utilizing the suburban lines or civic lines. Five of the latter serve the outer districts, but the whole central area of Toronto is sacred to the Toronto Railway Company. The best the outlying lines can do is to hand their passengers over to the Toronto Railway at its terminals.

That is why the Toronto Railway has been able to make money. The courts have held that its agreement with the city, made in 1891, does not obligate it to go outside the then limits. By reason of this decision, it has escaped the construction and operation of lines in the outer and more thinly-populated sections of Toronto. Traffic has had to come to it, instead of it having to go out after traffic. It covers only one-half of Toronto, but in that one-half lives four-fifths of the city's population.

FARES UNDER WHICH IT OPERATES

The agreement of 1891 was for thirty years, expiring, therefore, in 1921. Its provisions as to fares cover the whole of that period and are as follows:

Cash fares	5 cents
Midnight to 5.30 a.m. (cash only)	10 cents
Tickets	6 for 25 cents or 25 for one dollar
Tickets good 5.30 to 8 a.m. or 5 to 6.30 p.m.	8 for 25 cents
Sunday tickets (a later provision)	7 for 25 cents
School children's tickets	10 for 25 cents

At these fares the Toronto Railway Company is still doing business over its 129 miles of track. As an additional handicap, it has to pay the city $800 per year per mile of track, plus a percentage of its annual gross passenger receipts which runs from 8 per cent on the first million dollars up to 20 per cent on all over $3,000,000. As the $3,000,000 mark was passed years ago (this year's gross revenue will be about $7,000,000) the company now hands the city 20 cents out of every *new* dollars worth of business it does, in addition to the graded scale of percentages on the previous year's business. In 1918 its payments to the city were as follows:

Percentages on earnings	$1,046,495
Mileage charges	98,817
General taxes	155,954
	$1,301,266

The city, for its part, instals substructure for the company's tracks when these are renewed, together with pavement, and this has made considerable inroads on the city's revenue from the company. Undoubtedly, however, a considerable part of the $13,500,000 which (besides taxes) has been paid to the city to date, has been clear profit, and this, instead of being conserved as a fund wherewith to help purchase the railway in 1921, has been used to reduce general taxation. The city has voted to buy the railway in that year, and under the terms of the agreement can then do so by arbitration without paying anything for franchise rights and at a valuation of physical assets based on a comparison of the railway with the best system applicable to Toronto. The city contends that these physical assets are out-of-date. The cars are narrow, but this the company will blame upon the city's reluctance years ago to permit the laying of tracks with a wide devil-strip. The rail on many streets is admittedly in poor shape. The engineer of the Ontario Railway Board recently demanded the relaying of about nineteen miles of it. And the company's equipment of cars has been insufficient; so much so that it has been fined by the railway board for neglect to provide additions to its rolling stock during the war. All these facts have more or less of a bearing upon the feat which the company has performed in paying dividends despite low fares.

SEEMED TO BE ON 8 PER CENT BASIS

At any rate, the company had come to be regarded as a regular 8 per cent dividend payer, when, in 1918, it cut its dividend to 4 per cent, and, in 1919, dropped the dividend altogether. Conditions which were world-wide were affecting it. It finished 1918 with a balance of only $21,569 and further wage increases in 1919 put dividends out of the question.

The company had been hit by high costs of operation, in addition to which it had charged into operating costs in 1918 a sum of $253,479 for judgments and fines given against it, including a $24,000 fine for not providing the cars which the Ontario Railway Board said were necessary to proper service. The ratio of operation and maintenance charges to passenger earnings tells the story of what happens to a railway which has to depend upon stationary fares when costs are constantly rising. That ratio for the Toronto railway has been as follows:

	Per cent		Per cent
1910..........	51.6	1915........	57.9
1911..........	55.2	1916........	57.0
1912..........	53.4	1917........	61.5
1913..........	52.2	1918........	71.7
1914..........	58.4		

It will be seen from these figures that even the early war years brought with them new problems of operation, but that 1917 and 1918 set a new high record for costs. Labor and material were on the upgrade. Fares were stationary. Of the gross receipts from new business, one-fifth went to the city. The demands of the employes for higher wages were insistent. And in 1919 things reached a climax during which the "fate of the five-cent fare" was settled so far as the remaining years of the Toronto Railway Company's franchise are concerned. The fate was this: fares cannot be raised beyond those provided in the agreement of 1891.

FIVE-CENT FARE AGITATION BEGUN

To understand the developments of 1919, it is necessary to go back to conditions in the fall of 1918, when an agitation arose among the Toronto Railway employes for a war bonus. Under an agreement to expire in June, 1919, they were receiving from 30 to 37 cents an hour, according to length of service, and they suggested an increase in the meantime to 43 to 48 cents to meet the high cost of living. At about the same time an office was opened in Toronto under the name of the association of holders of public utility securities, and it became, thereafter, a spreader of propaganda for "service at cost," which was another way of saying "a five-cent fare." The Toronto Railway shortly afterwards began publishing a weekly bulletin containing the same and similar material and distributed it freely to car patrons. It is sufficient to say that both the A. H. P. U. S. and the company's free bulletins disappeared after the five-cent fare question was definitely settled by a strike in 1919, which formed the climax of the whole agitation.

In the meantime, a Dominion Government Board of Conciliation was appointed late in 1918 to consider the claim of street railway employes for a bonus. Its award, issued in January, 1919, and retroactive to November, gave the men practically a two cent increase, their new wages running from 32½ to 39 cents an hour. More interesting still, the board declared that the company ought to be in receipt of a five-cent fare and hinted at the desirability of legislation to that effect. The Ontario legislature had confirmed the agreement under which existing fares are charged; it would also have to sanction any change which might be made. But nothing like that happened.

The company paid the new wages out of the old fares by cancelling its dividends, and so the situation dragged along towards the crisis which was involved in the expiration of the men's agreement last June.

The terms which they demanded before they would sign a new agreement included an eight hour day, instead of a day averaging nine and three-quarter hours; 55 cents an hour for everybody, instead of the 32½ to 39 cents awarded in January, and many other concessions as to overtime, Sunday work, etc. The company said flatly that it could not meet this requirement because it hadn't the money. It applied for a Dominion Government Board of Conciliation, and Judge John A. Barron (who had been chairman of the previous board) was selected by the labor department as chairman, to act with a representative of the company and one appointed by the men. The latter, however, declined to make an appointment. So the government appointed one for them and the board was constituted. Theoretically, this procedure makes a strike illegal, but what actually happened was that the men declined to take out their cars on June 22, 1919, and for twelve days the citizens of Toronto had to walk or jitney to their destinations.

WOULDN'T TOLERATE FARE RAISING

The strike had been preceded by the utmost efforts on the part of Dominion, Provincial and Toronto authorities to bring about an understanding. A five-cent fare was inevitably mentioned, and there was some board of trade and even some newspaper support for it. But the citizens in general would not hear of such a thing. Papers unfriendly to the fare increase printed columns of figures purporting to show that much of the company's stock was water, that it had paid out on this stock, and otherwise diverted, funds which should now be available to pay increased wages; that it had cut a million dollar melon in 1911, and that its recent embarrassment was due to earlier prodigality. Much was also made of the fact that the Toronto Railway is the owner of the Toronto and York Radial Company, the Toronto Power Company, and, through the latter, of the Electrical Development Company, Toronto and Niagara Power Company, Toronto Electric Light Company and other concerns. Light on its relations with these subsidiaries was demanded before increase in fare could be so much as considered. It was also declared that a five-cent fare would yield $2,000,000 new revenue, which was even greater than the company's estimate ($1,748,000) of the amount involved in the men's demands.

On July 23, the second day of the strike, the Ontario Railway Board ordered the company to operate its cars. It was obviously impossible for the company to obey unless it met its own employes' demands. It had imported strikebreakers, but these were manhandled by the crowds and its barns where they were quartered attacked. It remained, therefore, for the railway board to exercise its statutory power to operate the road itself and charge the cost against the company, and on June 26 the board did take over the road and appointed the city's works commissioner, R. C. Harris, as manager. But the best offer made to the men to work for the board was 41 to 48 cents per hour, which was the wage then being paid on the city's own lines where there was no strike. That offer was declined and the board was left with an idle railway on its hands.

MEN ACCEPTED AWARD

Then, on the last day of June, the conciliation board, which had been busy hearing both parties to the dispute, issued an interim report advising payment of 55 cents to employes of nine months' standing and 50 cents per hour for the first nine months of service, the work day to be eight hours, with half an hour extra allowed to complete runs. Other concessions as to overtime, etc., were also made, but the whole award had, as a condition precedent, the granting of a five-cent fare to the company.

The conciliators, however, had no power to change the agreement with the city and, therefore, could not alter the fare, though they hinged their award on such alteration being made. The Railway Board was also powerless to change the fare, but it offered the men the wages suggested. The men accepted the offer, and, under its provisions, went back to work under Ontario Railway Board management.

The old fares continued, the civic authorities declining to be a party to any change. In the meantime, an investigation of the company's books was being made by city and Ontario Railway Board accountants. Not relishing this, and being disinclined to have their road run by outsiders, the Toronto Railway on July 8 took it back, continued paying the new wages, and it has since been operated at these wages without increased fares, though the final report of the Board of Conciliation, issued in August again suggested five cents. Hundreds of men have had to be added to the operating staff in order to run the system on an eight hour day.

The situation now is that the company is paying 55 cents an hour as compared with 27½ cents prior to June of 1916, or an increase of 100 per cent in three years. It cannot increase its fares. It faces heavy expenditure for the replacement of admittedly dangerous track and is in default the greater part of 200 cars which it was ordered by the Ontario Railway Board to provide. Its stock, as high as 148 in 1913, has fallen to 42. The manager has declared that the directors are willing to sell to the city on an arbitration basis, but no notice has been taken of his offer. The city will sit tight and compel the road to furnish service at an average fare of 3.9 cents until 1921.

HOW ADMINISTRATIVE CONSOLIDATION IS WORKING IN IDAHO

BY D. W. DAVIS

Governor of Idaho

This statement is companion to the more technical supplement on "Administrative Consolidation in State Governments" enclosed with this issue, and comprises material used for the author's address at the governors' conference in Salt Lake City in August, 1919. The detail of the Idaho plan is given in the supplement. :: :: ::

THIS is the dawn of a new era in civil administration. As I have watched the workings of the new plan of the cabinet form of centralized state government in Idaho, where 51 departments, boards and bureaus have been put under nine heads, I am convinced of this. I have actually seen the enthusiasm, the exchange of ideas, the feeling of added responsibility, as I sat in the cabinet meetings and have noted the difference between the old régime and the new, and I have come to believe the day past when the worn-out, creaking system of state government will do. That the red tape and costly duplication of the past is gone in Idaho, is my firm belief.

I believe we will all agree that public opinion is the final court which sits on the acts of public officials, and this public opinion is tired of the loose methods that have characterized the conduct of state affairs in most of our commonwealths in the past. The public is tired of the bushwhacking methods of politicians who, seeking personal power and the false satisfaction that goes with it, have made themselves and their efforts repulsive.

There is much to make us believe that the great war just ended has not only taught us military and moral lessons, but also political lessons which it is well for us to absorb. Despite a plentitude of money and man power we and our allies could not win the war against the centralized forces of the Central Powers until we ourselves became centralized. It was putting the power of direction and administration in central hands that finally won the war.

In these days of unrest we have another war to win. It is the war for civil health, and we can be victorious by the accomplishment of intelligent centralization of the functions of state.

ITS HAPPY RECEPTION

A broader spirit prevails in Idaho to-day than I have ever known before. The people of our splendid commonwealth seem willing to give the consolidated form of state government a fair trial. There will be objections I know, yet the spirit has been so splendid up to this time that I cannot refrain from speaking of it. Not long ago it came back to me that one of the former governors of Idaho, a distinguished private citizen now, and a member of a political party opposed to mine, a man who had been through the responsibilities of the governor's chair and knows its problems, said: "The Davis law providing for the consolidation of state governmental functions is the best piece of legislation placed in the laws of Idaho since the adoption of the constitution." I refer to former Governor James H. Hawley. The considerable following of Governor Hawley will help make public opinion favorable even before we can get big results, but already the public of Idaho is gaining confidence in the plan through definite knowledge of what is being accomplished. It was not so much the effect on the people of what this man would say that pleased me, but rather the indication of the broad spirit of patriotic love for his state which he had which shows the trend of the times.

This broader spirit of partisanship is tearing off the false mask of political self aggrandizement and leaving the office holder the sculptor to fashion the statue called "Results" with either efficient or inefficient fingers before the gaze of a great and thinking people, and no governor it would seem to me is able to "deliver the goods" as they must be delivered without the centralization of the functions of state government such as we have to-day in Idaho.

MAKING OFFICE ATTRACTIVE

This centralization has two marked effects. It brings better men into public life and it arouses in the people a higher regard for their duty in selecting their officials. You will all agree with me that throughout the political history of the states, governors have taken office without a working opportunity, and that the pathway of their political life has in a great number of instances been strewn with the wrecks of political tragedy. Business and professional men, knowing this, could not afford, they thought, to take a state office below the governorship, nor even the governorship, because they could not take the chance of losing caste in their state. But under this new system state government becomes a great business, and good men can be drafted to become general managers or heads of departments because their intellect and energy can be developed and results shown.

The system's success largely hinges on department heads, and in Idaho I have been successful in drafting big men for the several departments. Their salaries are small and will be until the public recognizes the value of the men, but the ideals of office-holding are raised by the opportunities for good and big work which come to them. Under this system there is no stated time for a term of office, and when the public realizes what it means, the good men will stay. Under the old system an appointee to a board or even to the headship of a department knew he would retain office for at least two years. He was a politician placed for political reasons and he did not have to report to any one. To-day the success of the system and the success of the individual responsible for it depends on efficiency. Most of these men are experts in their line and therefore dependable, so that office-holding is a higher occupation in Idaho than ever before, and this has had an astonishing effect on the personnel of our workers.

For instance, in the department of finance which is substituted for the state depository board and the state examiners, I have been fortunate enough to secure an extremely successful banker, and a man of large affairs to whom the salary of the position is practically nothing. He is serving because he loves Idaho and sees the opportunity to make a splendid record.

At the head of our department of public investments, which takes over the duties of the land register and part of the duties of the land commissioner and operates our newly created investment bank, is a man who at one time held a high salaried position with a great mortgage company and he knows values.

In the department of public welfare a man of broad sympathies, with wide experience in Washington and with four years to his credit in pure food work, is the head, and this department has in charge under the new régime, the state asylums, the soldiers' home, the state board of health, the bureau of vital statistics, dairy food and sanitary inspections and the state bacteriologist.

In the department of agriculture I have a man who has spent his entire life time in successful farming and stock raising and he knows the inner problems of the agriculturist. He has taken over 12 departments, while the head of the department of law enforcement has seen 13 chairmen and 13 secretaries as well as the same number of boards and bureaus, disappear. This man assumed the headship of the department at the same time acting as secretary of state, but in doing this we saved one salary, for he receives no remuneration for his work as head of the department of law enforcement.

The department of public works has as its commissioner an Idaho man who received his schooling in business of more than 20 years in the purchasing and administrative departments of a number of great mining companies and he became particularly well qualified to take charge of the purchasing department, the highway commission, the building of the capitol wings and the superintendency of public works.

At the head of the division of commerce and industry, which took over the duties of the bank commissioner, the insurance commissioner, the management of the state insurance funds and the administration of the blue sky law, I appointed a man whom I had selected for state bank examiner and he also is a banker of wide experience.

The department of immigration, labor and statistics, in which is incorporated the publicity bureau, is in charge of an experienced newspaper man. He prepares the advertisements for the state land sales and he is an expert, not only in writing attractive stories on the advantages of the state but in calling the attention of the people through advertising to its advantages.

SOME TANGIBLE RESULTS

In this connection another splendid example of business efficiency stands out with financial results to back it as a plan when it is found that under one man some of the functions of the former land department—made up of elective officers—have brought a profit in land sales of more than a quarter of a million dollars over previous sales for the same amount of acreage. The department itself has been run at far less overhead than was thought possible in the old days.

Another of my commissioners, who is serving purely from patriotic purposes, is the head of the reclamation department and he had not more than assumed office before he was called upon to exercise all of his talents because of the water shortage. An engineer of high standing, the income he now receives is small in comparison to what he might make just at this time, but he realizes that the record of his department and the wide acquaintanceship which he will make will be a huge asset to him if at anytime he again should enter private engineering work.

As several of you may know, Idaho's north and south highway has been the subject of oratory in our state for the past six campaigns, but until recently it has remained an illusory boulevard, existing largely in the minds of politicians. Those connected with the administration have taken no inconsiderable pride in an announcement from our commissioner of public works to the effect that the north and south highway will be safely passable by the summer of 1921. The road will become a reality with the completion of two contracts recently let which total more than a million dollars.

The department of commerce and industry has adopted a policy of personal interest in the welfare of the individual bank. Series of improved forms have been suggested to different bank directors and in more than one instance it has been found possible to change profitably an entire system of bank management.

Increased receipts and decreased office expense have been outstanding features of the administration of the commerce and industry commissioner. The figures show favorable balances in both the receipt and expense columns.

A recent achievement of the commissioner of immigration, labor and statistics was thorough advertising of a resale of eleven thousand acres of state lands at Rexburg. This transaction netted the Idaho treasury $187,000.

Vigorous efficiency in the department of public investments already has begun to pay substantial dividends. The commissioner reported at a recent cabinet meeting that his collections on certificates of sale of land, timber and interest on loans for the seven months ending July 31 were approximately $300,000 greater than the ingatherings of the same period in 1918. Legal action is the sword being relied upon to sever the gordian knots into which many of the state loans had revolved themselves. Sales already have been made in several instances and there are now in the courts 47 cases which will be carried to a prompt conclusion, while there were found as an inheritance of the old régime 151 past-due mortgages, some on which neither interest or taxes had been paid in five years.

In other years, when the state register commenced suit on an overdue loan, he was often interfered with by our over zealous land board, but the present commissioner of public investments is not and will not be deterred by action interrupting the full exercise of his authority.

In brief, Idaho's farm loan transactions are being raised to a plane of business efficiency. Encumbered mortgages are being cleared and unfortunate loans are being either foreclosed or re-written on the basis of a sane valuation of the property. A banker myself, I confess that I was rather more than astounded by the condition in which I found many of the state loans. It was once asserted that Idaho had never lost a loan dollar, but the sole reason that boast could be made successfully was that no attempt had been made to collect from delinquent debtors.

Our commissioner of agriculture has declared that he intends to protect the farmer adequately from the moment his seed is planted in the ground until he actually receives his check. Pursuant to that policy he has established thoroughly advertised grades on Idaho potatoes, hay, grain, apples, prunes, and cherries; he has furnished the farmers market reports in the form of a regular bulletin service; he has authorized the licensing of capable individuals to weigh grain at the various bonded warehouses in the state; he has seen that sufficient inspectors have been put into the field to guard against all species of injustice and he has examined carefully into charges of fradulent dealing and he has launched vigorous campaigns against both plant and animal diseases wherever he has found them.

The agricultural department is vitally important in the state of Idaho because 65 per cent of our people are intimately interested in some form of food production, and three hundred thirty-five millions of our wealth may be found invested in land and live stock.

Administered by the secretary of state, at an initial saving of the salary which would have been paid a commissioner, the department of law enforcement has achieved unusual things in its bureaus of constabulary and of fish and game. In the fish and game bureau more than twice as many licenses have been issued in the first six months of 1919 as were issued in the same period of the preceding year, and there is every reason to expect that this ratio will continue to manifest itself. The officers of our state constabulary recently have been paying particular attention to licenseless automobiles and to the occasional bootlegger who still inflicts his wares upon a long suffering citizenry. It has been estimated that revenue saved by the strict enforcement of the automobile licenses law alone has more than paid for the operation of the constabulary bureau.

In the department of finance foundations are now being laid for the preparation of a state budget which will eliminate the serious evils resulting from haphazard appropriations made by legislative committees. This budget will be a careful, scientific analysis of the financial needs of our institutions and departments designed, of course, to enable the legislature to authorize equitable expenditures. The commissioner of finance recently has introduced into all the counties of the state a new and thoroughly modernized system of bookkeeping. Where before there were 44 systems, now there is one. County officials throughout the state have acknowledged that this improved system affords complete records, makes information readily available and saves time.

This department has examined carefully the bonded indebtedness of the several counties with the view of supervising bond sales. Recently, too, it has carried on an active campaign through the banks of the state, urging against the exchange of government bonds for other so-called securities. This latter campaign has met with a cordial response from patriotic individuals.

Complete co-ordination of the work of our three state institutions devoted to the care of the insane, has been one of the outstanding achievements of the commissioner of public welfare. By a process of conferences, visits of inspection, and continual contact through correspondence, the superintendents of the three asylums have been enabled to profit by their mutual mistakes and mutual proficiencies. Surveys of all three institutions will be made some time in the near future by investigators representing the National Committee on Mental Hygiene.

Among the spectacular accomplishments of our commissioner of reclamation was the satisfactory adjustment of difficulties arising from Idaho's unusual water shortage of the current year. The state was faced with the most serious water scarcity in its history and it can readily be imagined by those who know irrigation that the commissioner was overwhelmed with conflicting claims. His success in making satisfactory adjustments speaks well for his ability both as a diplomat and as an engineer. His solution of the problem, which was both physical and psychological, and the rotation of water under his direction literally saved millions.

By a careful compilation of weather bureau reports for the past 20 years the commissioner of reclamation expects to be able to issue timely warnings if there is any likelihood of a repetition of our 1919 calamity. He believes that failure to use early spring water contributed largely to our present difficulties and thinks that if the farmers can be warned in time next year a similar catastrophe may be avoided.

In private business we have all of us noted that where individual responsibility is lacking there is lacking efficiency. The same thing holds true in public business. The individual with no responsibility does not get results. Even great business men to-day at the head of great corporations, employ professional auditors to check them up and to make them report to themselves. The centralizing of public business where heads of departments and their subordinates have some one to check them up means better work. The board or bureau of the old régime provided a cloak behind which the individual might hide his procrastination or weakness. To-day in Idaho the cloak is rent and the individual exposed.

DEPARTMENT OF PUBLICATIONS

I. BOOKS RECEIVED

AMERICANIZATION. By Carol Aronovici, Ph.D. St. Paul: Keller Publishing Co. 1919. Pp. 48.

DANGER SIGNALS FOR TEACHERS. By Dr. E. A. Winship. Chicago, Ill.: Forbes and Co. Pp. 204. $1.25.

NEW TOWNS AFTER THE WAR. By New Townsmen. Letchworth, England: Garden City Press, Ltd. Pp. 84. 60 cents net.

ORGANIZED EFFORTS FOR THE IMPROVEMENT OF METHODS OF ADMINISTRATION IN THE UNITED STATES. By G. A. Weber. New York: D. Appleton and Company. Pp. 391. $2.75.

PAPERS AND DISCUSSIONS. 1916–1917. London: Town Planning Institute. Pp. 202.

PEACE AND BUSINESS. By Isaac F. Marcosson. New York: John Lane Company. Pp. 292. $1.50.

THE DECLINE OF ARISTOCRACY IN THE POLITICS OF NEW YORK. By Dixon Ryan Fox, Ph.D. New York: Columbia University. Longmans, Green and Company Agents. 1919. Pp. 460.

THE HEALTH OF THE TEACHER. By Dr. William Estabrook Chancellor. Chicago, Ill.: Forbes and Company. Pp. 307. $1.25.

THE JOURNEYMEN TAILORS' UNION OF AMERICA. A Study in Trade Union Policy. By Charles Jacob Stowell, Ph.D. University of Illinois Studies in the Social Sciences. Urbana, Ill.: Published by the University of Illinois. December, 1918. Pp. 143. $1.

THE UTOPIAN WAY. By John Vieby. South Bend, Ind.: Co-operative Print Shop. 1917. Pp. 213.

WOMEN'S WAGES. By Emilie Josephine Hutchinson, Ph.D. New York: Columbia University. Longmans, Green and Company, Agents. 1919. Pp. 179.

II. REVIEWS OF REPORTS

Municipal Finances for 1918.—In 147 of the 227 American cities of more than 30,000 population the excess of expenditures for governmental costs, including interest and outlays for permanent improvements, over revenues during the fiscal year 1918 amounted to $70,923,990, or $3.48 per capita. In the remaining 80 cities the excess of revenues over expenditures was $22,323,060, or $1.60 per capita. Taking the entire 227 cities as a group, the excess of expenditures over revenues amounted to $48,600,930, or $1.42 per capita; but the revenues exceeded the payments for current expenses and interest by $229,762,507, an amount equal to four-fifths of the total outlays, which aggregated $278,363,437. In other words, the cities of over 30,000, taken as a group, are paying from their revenues all their current departmental expenses and interest and four-fifths of their outlays.

These are among the significant facts presented in a report entitled "Financial Statistics of Cities Having a Population of over 30,000: 1918," soon to be issued by Director Sam L. Rogers, of the Bureau of the Census, Department of Commerce. This report, which was compiled under the direction of Mr. Starke M. Grogan, chief statistician for statistics of states and cities, gives detailed data in respect to the revenues, expenditures, assessments, taxes, indebtedness, and assets of the 227 American cities of more than 30,000 population.

Revenues. The aggregate revenues of all the cities during the year were $1,124,094,899; the aggregate expenditures for current expenses and interest, $894,332,392; and the aggregate outlays, $278,363,437.

Of the total revenues, $790,577,487, or 70 per cent, represents receipts from the various kinds of taxes. The bulk of this amount, $705,723,158, was derived from the "general property tax," made up of taxes on real and personal property. Of the remaining receipts from taxes, the largest item, $35,576,383, was derived from taxes on the liquor traffic. This amount is smaller by $1,398,000 than the corresponding sum reported for the fiscal year 1917, although the total number of cities covered by the report is greater by eight in the later year than in the earlier.

Next to taxes, the source of the largest item of revenue is found in the earnings of public-service enterprises, which amounted to $116,494,645. This sum is considerably more than double the amount of payments for expenses of public-service enterprises, $55,174,480, thus leaving a net revenue from this source of $61,320,165. The bulk of the earnings of public-service enterprises came from water-supply systems, from which the receipts aggregated $90,139,705.

Another important source of revenue consisted of special assessments and special charges—the bulk of which were for outlays—aggregating $72,673,785. This sum is appreciably smaller than the corresponding amount reported for the preceding year—$83,195,596.

For all the cities taken as a whole the per capita receipts from property taxes amounted to $21.03; from other taxes, $2.00; from earnings of public-service enterprises, $3.39; from special assessments and special charges for outlays, $2.12; and from all other sources combined, $4.20.

Expenditures. The expenditures during the year for governmental costs in these 227 cities, which aggregated $1,172,695,829, were in the order of their importance: For expenses of general departments (legislative, executive, and judicial establishments, schools, police and fire departments, sanitation, etc.), $690,160,283; for outlays, $278,363,437; for interest on indebtedness, $148,997,629; and for expenses of public-service enterprises (water-supply systems, electric light and power systems, docks, wharves, landings, etc.), $55,174,480. The amount expended for outlays was somewhat smaller than the corresponding sum for the preceding year, $286,529,990.

The average per capita expenditures for all governmental costs, including interest and outlays, in the 227 cities amounted to $34.16; and for all governmental costs, including interest but excluding outlays, the average per capita payments were $26.05.

Cities in which revenues exceed expenditures. In all but four cities the revenue receipts exceeded the payments for current governmental expenses and interest; and in 80, or 35 per cent of the total number covered by the report—including the cities of New York, St. Louis, Pittsburgh, Los Angeles, Washington, Portland, and Denver—the revenues exceeded the entire expenditures for governmental costs, including interest and outlays. During the preceding fiscal year the revenues exceeded the total expenditures in 90 cities, or 41 per cent of the entire number covered by the report for that year.

Indebtedness. The net indebtedness (funded and floating debt less assets in general sinking funds) for the entire 227 cities amounted to $2,661,451,218, or $77.53 per capita. The net increase during the fiscal year for all the cities taken as a group, $59,191,152, was very much less than the corresponding increase during the preceding fiscal year in the 219 cities covered by the report for that year, which amounted to $98,846,896.

The net indebtedness of New York City alone, $1,005,055,422, is more than three-fifths as great as the total for all other cities of over 30,000 taken together, and is more than seven times as great as that for Philadelphia, which stands second in this respect with a net indebtedness of $136,183,943.

*

Statistics of Municipal Finances. Second Annual Report of the Wisconsin Tax Commission.—This is a valuable document, though not easy reading, because of the light it throws on the cost of government. It will help to dispel many false ideas and to bring out clearly much information on the sources and disposition of public revenues. Perhaps the most significant fact disclosed is the increased cost of government. The figures, which of course relate to Wisconsin, show that as compared with $89,243,234.94 in 1912, the total disbursements of all public bodies in Wisconsin in 1918 were $143,337,163.26, an increase of two-thirds in six years. The increase was largest in cities, the expenditures for cities jumping from $30,840,772.00 to $49,635,260.00 during the period mentioned. Schools and highways absorb almost 50 per cent of the public revenue, while 7 per cent is more than enough to pay the salaries of all public officers and employes in all civil divisions of the state. Analysis of the mass of data presented in the report will well repay those who deal with problems of public finance.

*

The Reform of Political Representation.—This propaganda pamphlet, by J. Fischer Williams, first printed in 1914, is of especial interest now on account of the scheme of proportional representation for the proposed Irish senate and house of commons, and the very considerable minority which forced the matter as applied to the other parts of the United Kingdom before the British house of commons in 1917.

The pamphlet is decidedly the most compact and easily understood of the literature on proportional representation. It summarizes the arguments pro and con which have been developed previously and more elaborately presented n Humphrey's Proportional Representation, 911. While the illustrations and applications late to British elections, they are of course pical of all countries which have adopted rliamentary government on the single mem- r district system. Especially useful are the tailed instructions and rules for conducting ctions on the system of the single transfer- le vote. The pamphlet also has a few pages the progress of the movement outside of the ited Kingdom.

John R. Commons.

◆

Standards of Child Welfare is a report of the proceedings of a conference on the subject held under the auspices of the federal children's bureau at the conclusion of its "children's year" campaign, which covered the second year of the war. The conference had for its purpose the crystallization of the general educational and interest-arousing values of the campaign, and in addition to hearing a number of papers on many special phases of child welfare work, it appointed a system of committees to formulate comprehensive standards for child care. The list of those presenting papers to the conference is a formidable one, as is also the list of committee members. The ground covered by the conference includes both economic and social standards for child labor, health of children and mothers, and care of children having special needs. The report also contains the standards drafted by the committees for the consideration of the conference.

◆

Municipal Reform in Philadelphia is the title of a convenient little pamphlet giving a summary of the provisions of the new Philadelphia charter approved by Governor Sproul on June 25 after a legislative struggle of several months. In an introductory summary Senator Boies Penrose laments the fact that the new charter "does not definitely and at once cut away the incubus of partisan nomination, election and responsibility for municipal rule. . . . but nevertheless," he says, "Philadelphia, most conservative, most glorious and most American of American cities, has in its new charter an instrument and opportunity for advancement such as has never been presented in its municipal history. Given a full and free expression of public will at the polls, it will take a tremendous forward step among its sister cities, and forever repudiate the brand of 'corrupt and contented.' "

Venereal Disease Ordinances is a pamphlet, issued by the United States Public Health Service, containing a number of ordinances, each of which has been in successful operation in different cities and has been found effective in its particular phase of the general fight on prostitution as the greatest cause of the spread of venereal diseases. These ordinances are recommended for municipal enactment with the suggestion that in every case they be examined by competent local counsel for changes dictated by special constitutional, legislative, or charter considerations. With each ordinance is an explanation of it and of the object sought to be accomplished by it.

◆

Social Service Directory of Philadelphia issued by the municipal court. This directory lists alphabetically nearly 1,200 social service organizations in the city. A subject index contains more than 2,000 classified activities of such organizations. The book includes not only organizations dealing with families, relief, children, hospitals, and institutions—as in an earlier edition—but also church social service, religious, civic, and war service groups. The name of the executive officer of each organization is given, together with a statement of its activities and publications.

◆

The Governors' Conference Proceedings for 1918, covering the tenth annual meeting of governors, held at Annapolis (Maryland) in December, contains several interesting papers and discussions on questions of state policy with regard to military organization, public employment, agriculture, education, labor, land, and workingmen's compensation. They are of value for their statements of policy already adopted in certain states for the solution of some of these problems, and are illuminated by such discussions as bring out the nature of modifications required to adapt these policies to other states.

◆

Madison Our Home.—The author has attempted to cover in a small compass, and in a form suitable for both school work and general use, a mass of data referring to the city of Madison, historically, politically, educationally, and prophetically. The first heading in the table of contents is "prehistoric period—the Indians," while toward the end we find "effects of tobacco and alcohol" and "politeness and courtesy." The book has value, but would have had more if it had not attempted to have so much.

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NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Montreal Experiments with Administrative Commission.—The city of Montreal is passing through an experiment in municipal government that is worthy of careful study. This experiment is an effort to solve municipal and political evils from which the city has suffered in the past, or at least to gather experience upon which a solution may be based. An understanding of the situation may perhaps best be had by recalling that in 1910 a board of city commissioners responsible to the city council was appointed in an effort to inject better politics in the government of the city. But the aldermen were not prepared for public finance, which means higher taxes in order to keep a fair balance between revenue and expenditure. The tax rate had long been at one cent on the dollar, plus the school tax, and the council preferred to pile up the public debt rather than increase the tax rate.

The borrowing power was at 15 to 12 per cent. of the assessed value of real property. The council and its commissioners went the limit. The public debt of Montreal at present is $120,000,000. The assessed value of real property is $700,000,000. The finances of this great, wealthy city, the headquarters of railway, financial and industrial corporations in Canada, demanded attention. Something had to be done, and of a decisive character.

It is sometimes difficult for the legislative assemblies of Illinois and New York to find out just what the reformers of Chicago and New York cities really want. So it was in Montreal. Sir Lomer tried in vain to learn what the people of this city wanted. He decided to appoint a commission that would be responsible to the provincial government, selected his men, and set them at their task.

Since April, 1918, this body, known as the administrative commission, consisting of five members, has been a part of the municipal government, co-ordinate with the mayor and a council composed of the mayor and one alderman for each of the twenty wards into which the city is divided. The general administration of the city rests with the administrative commission, subject to certain restrictions. Its resolutions, by-laws, and other acts are submitted to the city council in connection with annual and supplementary budgets; it has no authority over the variation of funds, appropriations of the proceeds of loans, taxes and licenses; it cannot alter by-laws, except those defining the attributes and duties of the municipal officials and employes; nor has it authority to grant franchises or privileges, or to make annexations. All other powers formerly vested in the mayor and aldermen are now held by the commission.

The city council may by a majority of three-fourths of its members reject or amend the commission's reports within 30 days of their receipt by the city clerk, or within 60 days in the case of a by-law; otherwise they are deemed to be adopted, notwithstanding any provision to the contrary in the charter or in any general or special act. The council cannot, however, in amending the reports of the commission on questions of finance, increase or apply to other purposes the appropriations recommended, nor add new ones. The approval of the municipal electors, when required by the city charter, still subsists.

After having this system of administration in effect for more than a year, there is a division of opinion as to its wisdom. Many supporters of good government believe that it gives a much better result than its predecessor. It is asserted that the administrative commission has considerably reduced the staff in various city departments, has made a general clean-up of the police and detective departments, and has reduced the divisions and sub-divisions of different branches of work, giving greater responsibility to the head of each department. Moreover the greatest advantage of the administration commission, it is claimed, will not show immediately; it is predicted that in a few years there will be a material reduction in the wire-pulling for political appointments, which will be made by the actual administrators on the basis of merit. Despite this prediction for the future, others who advocate the administrative commission look on it only as a temporary expedient whose strength lies in the fact that the Liberal party in power in the province is so strong that it can put through its policies against ordinary opposition so long as they are honorable and business-like. But even many who indorse the course of the administrative commission are frank to say that from the viewpoint of democratic government its appointment is the hardest imaginable blow to democracy.

On the other hand there are many equally warm adherents of good government who are open and emphatic in their criticism of the commission, as to both its appointment and its policy. The fact that it is a non-elective, unrepresentative body is not their only objection. A second weakness, they allege, is the decision of the commission to hold its sessions behind closed doors. Apparently the commission has aggravated the feeling against it by not taking the public into its confidence, and while reasons may be adduced against public sessions, it is felt that at least the 20 aldermen who form part of the city government should be kept in close touch with the commission. Lacking this, the friction between the two bodies has resulted in deadlocks which have been detrimental to the city's interests.

There is also decided criticism because of the large increase in taxation made by the commission without materially improving the physical aspect of the city. The increased income has been absorbed by larger salary expenditures and increased cost of materials. This explanation is admitted to be sound, but the retort is made that the commission has inexcusably blundered in some of its reorganization schemes, notably the amalgamation of the police and fire departments, which resulted in an expensive strike, and the handling of the aqueduct improvements in a way that paralyzed Montreal for a time. Much criticism is also directed against the commission for not using the legal means in its power to prevent the operation of the new tramway franchise until this franchise was approved by the people or by their elected representatives. By those who criticise the commission it is claimed that the commission's improvements in administration are minor ones, not such as are demanded by the city's growth.

The honesty of the commissioners has not been questioned by any; but many citizens place greater emphasis on their own elective prerogatives. That this feeling is widespread and genuine seems evident by the pledge given by the provincial government, at the last election, to modify the law as the people of the city desire. It seems now a matter of crystallizing this desire.

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Illinois to Select State Depositories on Competitive Basis.—A substantial advance was made at the recent legislative session in Illinois by the passage of a bill providing for the selection of state depositories on the basis of competitive bids, for a full accounting for all interest-earnings on state funds, and for giving full publicity to all matters connected with the handling of state funds.

A glance at the very brief old law regarding the deposit of state moneys is sufficient to show the need of a more definite and complete statute, as a matter of common business prudence. That law requires only that the state treasurer "shall deposit all moneys received by him on account of the state within five days after receiving same in such banks in the cities of the state as in the opinion of the treasurer are secure and which shall pay the highest rate of interest for such deposits." Although the present law, which was enacted in 1908, through the efforts of Senator Morton D. Hull, was then an important gain for the public, it is by no means adequate to meet the needs of the situation and especially has failed to give necessary publicity to the handling of public funds.

Comparisons between the interest-earnings of the state and those of Cook county and Chicago, both of which select their depositories competitively, show that the county and city interest-earnings are substantially larger than those of the state in proportionate to the average deposit balances carried in banks. It was at the correction of this inequality that the new law was aimed.

The new statute is drawn upon the theory that the state treasurer shall designate all depositories and shall continue responsible for all moneys in the state treasury. In this respect it differs from the Cook county law and from the laws of other states, these laws in almost all cases providing for the selection of depositories by a board, relieving the state treasurer of liability. It was thought best to draw the bill on the theory that the treasurer shall act and shall remain liable, because of decisions of the supreme court of Illinois. Under the cases of *People* ex rel *Gullet V. McCullough*, 254 Ill. 9 (1912), and *Fergus* v. *Russell*, 270 Ill. 304, it seems necessary to leave the treasurer as custodian of state moneys. Under these decisions it is clear that the legislature may regulate the functions of a constitutional officer, but that it may not withdraw such functions.

The new law provides that the state treasurer shall deposit all public moneys received by him, within five days after receiving them, in such banks as may be authorized to receive deposits under its terms, and that the interest on such deposits shall be the property of the state of Illinois. Adequate provision is made for inviting competitive bids for state deposits and for opening them publicly. The state treasurer is required to examine the last official statement of assets and libilities of each bank bidding for deposits, and formally to approve or reject each proposal. His approval of a proposal does not confer any right upon a bank to receive deposits, and no moneys are to be deposited in any bank until approved securities are deposited with the state treasurer equal in market value to the amount of moneys deposited. Provision is made for two classes of depositories, active and inactive, and for obtaining separate bids on each class. The state treasurer must designate one or more active depositories, and money deposited in the inactive depositories shall be used only when that deposited in active depositories is insufficient. The law clearly states that "the making of a personal profit or emolument by the state treasurer out of any public moneys, by loaning, depositing, or otherwise using or disposing of the same in any manner whatsoever, shall be deemed a felony" punishable by imprisonment of from one to ten years.

◆

Oregon Has a New County-Budget-Making Plan.—A novel and significant step in the making of county budgets has been taken in Oregon, where a new law provides for the creation of a tax-supervising and conservation commission in each county having a population of 100,000 or more. The commission, consisting of three members appointed by the governor and serving without compensation, has advisory jurisdiction over all the county boards, school boards, common councils of municipalities, and all other municipal bodies authorized to levy a tax upon property within the county. The commission is required to keep careful record of all taxes levied, all indebtedness incurred by the county, and the cost of running all the varied governmental functions in the county. It may also inquire into the management, accounting, and systems of each department of the county, and make suggestions tending to conserve the public money and increase the efficiency of departments.

The county commissioners and the tax-levying bodies are required to submit to the tax-supervising and conservation commission, by September 1, each year, their estimate of the annual budget deemed necessary for all county purposes for the fiscal year beginning on the first of the following January, this budget to show in succinct and plain language each particular item to be expended. After a full, public hearing the commission is to report back to the various tax-levying boards the result of its findings with respect to the expenditures proposed in the budget—without, however, increasing any of the estimates—and shall advise these bodies severally to levy a tax in accordance with its findings. These recommendations are to be advisory only, but in order that the taxpayers may be fully informed as to how the public moneys are expended, the commission is required to compile a complete and comprehensive report of the budgets presented to it, those recommended by it, and those finally adopted. Furthermore, the oath of office prescribed for the members of the commission requires each member to swear in part that he will endeavor to secure economical expenditure of public funds sufficient in amount to afford efficient and economical administration of government in the county for which he has been elected, and that he will perform said duty without fear, favor, or compulsion, and without hope of reward.

The intent of the law is plainly to create a central clearing house and financial laboratory —if so mixed a figure may be used—particularly to co-ordinate and harmonize the needs and taxing power of widely diversified county agencies, and through this system to promote efficiency and economy equally. The provisions of the law are promising, and its operation will be watched with interest from all parts of the country.

◆

Investigation of Administrative Agencies in Ohio.—A joint resolution passed at the last session of the Ohio legislature provides for a committee to investigate state departments, state boards, commissions and bureaus, for the purpose of determining whether greater efficiency and economy can be obtained by reorganization, combination and consolidation. The history of Ohio's development of administrative machinery coincides with that of all other states in respect to the overlapping and conflict of various administrative agencies created from time to time as governmental functions have multiplied and become complicated. A joint legislative committee consisting of three senators and three representatives is to survey the situation and report recommendations for eliminating waste and increasing efficiency.

Don C. Sowers, formerly a member of the staff of the Dayton municipal research bureau and now secretary of the Akron bureau, has been appointed secretary of the committee. Gaylord C. Cummin, formerly city engineer of Dayton and later city manager of Grand Rapids and Jackson, Mich., but now of New York, and L. D. Upson, former director of the Dayton municipal research bureau, now of Detroit, will be called by the legislative committee for consultation. W. H. Allen, New York, is a third expert that has been summoned to assist in the investigation.

The committee has before it facts gathered by C. B. Galbreath, state librarian, showing what the effect has been in 21 states of the union where attempts have been made to simplify state governments.

◆

Municipal Ownership for St. Louis Street Railways.—The St. Louis street railway situation is as quick-changing as a slap-bang "movie" picture. Shortly after the appointment of the receiver[1] the street railway men's union made a demand for a 60 per cent increase in wages and the eight-hour day. The state public service commission, chosen as arbitrator, granted the men practically all they desired, giving them a schedule of 50 cents an hour for the first three months, 55 cents for the following nine months, and 60 cents an hour maximum.

Receiver Wells thereupon asked for a ten-cent fare and the elimination of transfers. The commission's decision, handed down on September 10, granted an eight-cent fare, as expected, two tickets to be sold for 15 cents, and 50 tickets for $3.50.

The civic league immediately announced that it had advisedly not appeared before the commission, because "the street railway problem has gotten beyond the state commission stage," and in a public statement initiated a campaign for municipal ownership.

To attain municipal ownership, the league recommended: (1) The recapture of all the company's franchises at the earliest possible moment. It thought that a splendid opportunity was now offered, on the basis that the company's franchises were forfeited because of the granting of the increased fare, and the company's allegation that it could not run on the five-cent fare basis. (2) Elimination of the state public service commission's control of St. Louis utilities. Such control was objected to not merely because of the action of the present state body, but because the system itself was at fault. State commissions are too far aloof from the people. In addition the division of powers between city and state leads to deception on the people, the city officials blaming the state body for the results of their acts and the state body laying the fault at the door of the city. (3) Amendment of the state constitution to raise the municipal bonded indebtedness limitation for revenue-producing utilities and to allow cities to issue bonds on the utility property itself.

As the result of this report, the tenth ward improvement association immediately requested of the governor a special session of the legislature to consider elimination of the state public service commission control of St. Louis. It is not likely that the governor will grant this request. If he refuses to do so, the association states that it will seek to secure its object by initiative petition. The citizens' referendum league has also begun an initiative campaign for the purchase of the street railways by taxation, and for a free street car system. It is doubtful whether this movement will go very far.

It seems likely, however, that the suggestion made by the civic league will receive sufficient approval during the next two years to be adopted both by the City of St. Louis and the state legislature. In that event municipal ownership will be the sequel to the present receivership. In fact, Consulting City Engineer C. E. Smith has since announced his conversion to the municipal ownership idea in a letter to the Federal Electric Railway Commission, and to the elimination of state commission control.

Louis F. Budenz.

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[1] See National Municipal Review, vol. viii, p. 412.

II. POLITICS

Proportional Representation Election in Scotland Refutes Arguments of Critics.—In the recent Scottish local elections proportional representation has been tried on a larger scale than probably ever before, and the election has been an undoubted success.

The election was held under a new act setting up education authorities for every county and for the "scheduled burghs"—Edinburgh, Glasgow, Leith, Dundee and Aberdeen—thus, except in urban areas, largely increasing the size of the districts by which the authorities are elected. Every burgh and nearly every county was subdivided into electoral areas or constituencies, returning, in some cases, as many as nine or ten, and in others as few as three members. Each county and borough had a separate returning officer, who was, as a rule, responsible for several constituencies and for the conduct of several elections. Without exception, according to the London *Times*, the returning officers found that the regulation for counting the votes, which certain members of the House of Commons denounced last year as a Chinese puzzle, worked with perfect smoothness.

The same authority states that although the returning officers and electors were all new to their work, there was nowhere any hitch. The returning officer for Glasgow counted in one day no fewer than 124,000 votes, spread over seven electoral divisions of the city, each of which had to have a separate count. A single constituency of 250,000 voters could easily have been counted in the same time. A similar story of clockwork efficiency was reported from every center.

The gloomy prophecies as to the number of spoiled papers that would result from the proportional representation plan of voting have been falsified by the result. The best record is, perhaps, that of Perth, where the local Rotary Club accepted as one of its privileges the task of instructing electors. The number of spoiled papers from all causes there was 69 out of a total of 6,054, or 1.1 per cent. In Glasgow there were 2,570 papers spoiled from all causes out of a total of 124,107, a little more than 2 per cent. In Edinburgh 486 out of 24,747, or, again, 2 per cent. In some places it was higher—for example, in Buteshire and in Sutherland nearly 3 per cent.

The results of the elections, as shown by the official "result sheets," on which the process of counting and transferring votes is recorded, also demonstrate the intelligent purpose with which preferences were marked. Preferences were not—as opponents of the system prophesied—marked at random. Electors marked the candidates of their own parties in the order of their preferences. Thus, in Glasgow, the Rev. Canon O'Brien (Catholic) had 4,112 surplus votes; of these, 4,029 went over to a second Catholic candidate, Quin. In the Clydebank Division of Dumbarton, Miss Rae, a Labor candidate, had 207 surplus votes; of these 191 went over to Frazer, another candidate of the same ticket. Moreover, where candidates were not standing as a group, or at best formed part of some very loose organization, the indication of reasoned purpose behind the expression of preferences was equally clear.

The elections established more than the efficiency of the electoral machinery of the single transferable vote; they also fulfilled the promise of fair representation to all parties. As an example we may examine one division of Glasgow—Govam, Tradeston and Pollok. There were nine seats, eighteen candidates, 25,572 valid votes, and the quota (the number which assured the election of a representative), was 2,558. The aggregate Catholic vote was 6,204, or two quotas and 1,008 votes; they secured two representatives. The Labor vote was 2,362, or a little less than a full quota. The Catholic surplus assisted this group and Labor succeeded in securing one representative. The Coöperators polled 1,418 votes, considerably less than a quota, and they failed to return a representative. The other nine candidates were either unorganized or loosely organized, and represented what may be called progressive middle and non-Catholic opinion. They polled 15,588 votes, or six quotas and 240 votes, and this group secured six representatives. The representation of those who voted could not possibly be more fair.

◆

Baltimore's Mayoralty Election.—The recent mayoralty election in Baltimore, Maryland, in which a democratic majority of 10,000 (established in the congressional election of 1918) was converted into a republican majority of 10,000, furnishes many interesting considerations to students of the political situation. In any attempt to understand the result the spring primary must be taken as a background. Mayor Preston, democrat, who has held office since 1911, was again a candidate at the primary, but was defeated for his party's nomination by George W. Williams. Mayor Preston's defeat was brought about by a number of factors. First of all, he was opposed by the so-called "state crowd," by many persons whom he had offended, and by a large contingent in the newly annexed territory which resented his activity in bringing them into the city. Many voters were also influenced by the criticism against his administration of some of the schools, and against the salaries of teachers. In the opinion of many he had done all that could have been done in view of the war conditions; but some people found fault because he failed to build new schools, while he found a way to go ahead with the widening of St. Paul street and with radical changes in the layout of Mt. Vernon Square. Early in his first term he dismissed several excellent and eminent gentlemen from the school board because they would not remove the superintendent. Although he was re-elected since then (in 1915) by an unprecedented majority, many people took the present occasion to visit their punishment upon him for this dismissal, claiming that in 1915 they had to vote for him as the only escape from a more objectionable candidate. Another grievance grew out of his treatment of a former health commissioner who was generally believed to have earned Mayor Preston's disfavor because of an unwillingness to take orders.

George W. Williams, who defeated Mayor Preston for the democratic nomination, is an exceptionally well qualified man, standing high at the bar, and having a record for courage and unflinching fidelity to duty as a member and president of the park board. Considering his standing, the manner in which he won the nomination, and the democratic majority at the preceding congressional election, it is doubtful whether anyone can fully account for all of the influences leading to Mr. Williams defeat. It seems probable that national issues, although not discussed in the campaign, were a considerable factor, and that William F. Broening, the successful republican candidate won many democratic votes because of widespread dissatisfaction with the national administration. In addition to this, it is contended that Mr. Williams was both "knifed" and "traded" by the "city ring," and that everyone knew he would be. Hand in hand with this is the probability that Mr. Williams lost favor with the independent or "anti-ring" votes because he was believed to be supported by the "state ring." These apparently were the major reasons for his defeat. Beyond this an analysis of causes is unsatisfactory. It is worthy of note, however, that in both the mayoralty election and the democratic primary the defeat of the vanquished seems more significant than the success of the victor.

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Politics and Education Again Clash in Chicago.—The involved status of the Chicago board of education has been further conplicated by recent events and is now awaiting adjudication by the courts. Simultaneously with the ousting of the 11-member board in October, 1918, by judicial order,[1] the old 21-member board was placed in control of the school system until such time as the mayor and city council might agree on the personnel of the smaller board provided for by the law of 1917. With this change the superintendent of schools appointed by the ousted board resigned his office. The old board, heeding the suggestion of five civic organizations of the city, appointed a commission of citizens charged with finding the candidate or candidates available and best qualified to fill the position. Last March, upon the unanimous indorsement of this commission, Dr. Charles E. Chadsey, of Detroit, was elected superintendent at a yearly salary of $18,000.

Two months after his re-election in April, Mayor Thompson submitted a new set of nominees for the 11-member board to the city council, which for four years has been the stronghold of good government in Chicago and had on three separate occasions refused to concur in the appointment of school trustees selected by the mayor. On this occasion, however, 31 Sullivan democrats, with a few independents, joined the Thompson republicans in delivering the city council to the mayor by confirming the mayor's appointees, and establishing the new board in the control of what is known as the "solid six," with the five other members of like sympathies. As was to be expected, the new board displaced Dr. Chadsey at its first meeting, appointing Peter A. Mortenson, of Chicago, in his place.

These deplorable developments, however,

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[1] See NATIONAL MUNICIPAL REVIEW, vol. viii, p. 196.

are not final. The state's attorney has brought court action to challenge the qualifications of the members of the new board, alleging that two of them are holding office for terms in which no vacancies existed, and that the other nine are holding office for terms which exist neither in fact nor in law. Likewise it is alleged that Mr. Mortenson is not entitled to the office of superintendent as no vacancy existed when he was elected.

III. JUDICIAL DECISIONS

Zoning.—Where the city of Columbus, Ohio, had passed an ordinance forbidding filling stations in residential districts without the consent of two-thirds of the property owners nearby, it was held in *State* v. *Dauben*[1] not necessary for the owner of such a station to get such consent for the purpose of impairing, remodelling, or rebuilding a filling station. The building inspector who in this case had refused to issue a permit was ordered to do so. The effect of the ordinance was held to be prospective and specifically to except stations already in existence.

A Los Angeles residence-district ordinance, providing that in order to establish an industrial district within a residence district it is necessary to get a petition signed by property owners, was held to be constitutional and to apply to laundries in the case of *Sam Kee* v. *Wilde*.[2] The upper court reversed the lower in this case without much discussion, simply citing decisions of the California and United States courts.

In another California districting decision, the case of *Boyd* v. *the City of Sierra Madre*,[3] it was held that a municipality had power by ordinance to divide its territorial limits into business and residence districts, and to prohibit in the residence districts the maintenance of any corrals wherein mules and burros are kept for hire, the keeping of such corrals in a populous city being a nuisance. This ordinance also forbade such corrals in the business district without a permit from the city board of trustees. This feature of the ordinance was also approved by the court.

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Heavy Loads.—One Froelich was found guilty of violating an ordinance prohibiting loads in excess of ten tons being driven over the streets of Cleveland without the permission, under specified circumstances, of the director of public service. It was contended on appeal that the city ordinance was invalid and void for the reason that it was a local police regulation in conflict with general laws and, therefore, repugnant to section 3, article 18, of the constitution, which reads: "Municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws." The court held in *Froelich* v. *City of Cleveland*[4] that the city had the power to pass such an ordinance, not by grant of the legislature, but under express authority of the people of the state given in the constitution. The majority opinion distinguished this case from that of *Cleveland Telephone Co.* v. *Cleveland*[5] in which it was decided that Cleveland did not have the power to fix its own telephone rates. Judge Wanamaker who dissented in the telephone case, agreed with the majority opinion in this case except for what they had to say about the Cleveland telephone case. Judge Jones dissented vigorously on the ground that a state law already permitted motor trucks weighing twelve tons to be operated over public streets and highways within the state, and maintained that as the state had legislated on the subject the city had no power to do so.

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Traffic.—St. Louis enacted an ordinance providing that "drivers must as all times comply with any direction by voice or hand of any member of the police force as to stopping, starting or departing from any place." In the case of *City of St. Louis* v. *Allen*[6] a chauffeur brought the wife of his employer down town in an automobile, and kept the machine standing in front of a large office building where there was a sign, "Don't stand between these posts." After remaining there for some 15 or 20 minutes he was requested by the elevator operator of the building to move on. Failing to comply with this request, a policeman gave similar orders, and defendant told him that he would remain where he was until the return of the lady for whom he was waiting. He was thereupon arrested and convicted of violating the ordinance. This conviction was affirmed by an intermediate court, and the case finally carried to the supreme court of Missouri, which reversed the lower court, indicating that in this instance the city authorities may have been morally right and the defendant in the wrong, but said, "The ordinance here involved puts the citizen in the arbitrary power of the officer, regardless of the circumstances of the case. Its invalidity is so glaring that the respondent has not cited any authority to uphold it."

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[1] 124 N. E. 233.

[2] 183 Pacific 164.

[3] 183 Pacific 230.

[4] 124 N. E. 212.

[5] 121 N. E. 701.

[6] 204 S. W. 1083.

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Civil Service.—The New York supreme court of Bronx county, decided in *O'Reilly* v. *Lewis*[1] that where a certain man was the only one certified by the municipal service commission as eligible for appointment as warden of a farm belonging to the city of New York, he was not by that fact entitled to the appointment, and the fact that the commissioner of correction persuaded him to decline the appointment would not make the appointment of another candidate from a subsequent certified list of three in violation of the civil service law.

Another civil service decision of the same court in the case of *People* v. *Hogeboom*[2] was that under the statute of 1919, chapter 476, relating to the police department of the city of Mt. Vernon, the appointment of police sergeants from the rank of patrolman is at the pleasure of the police commissioner, so as to free such appointees from the civil service provisions of the constitution, statutes and rules of the civil service authorities of the city.

✤

Sunday Sports.—An ancient Sunday law passed April 22, 1794, came up recently for interpretation in common pleas court No. 5 in Philadelphia. An injunction was sought against the mayor and park commissioners to compel them to rescind a resolution of the commissioners which directed their chief engineer to permit the orderly playing of all outdoor games in Fairmont Park on Sundays under the same regulations as on all other days, and to prohibit them from licensing or permiting any outdoor games in the park on the Sabbath. In construing this old law, passed 125 years ago, the court felt that changed conditions within the community, the general opinion of the public with regard to the act, the broad sympathy entertained by many with those principles which recognize that the law is the subject of growth and its enforcement determined by the social needs of the community, must be considered. The court commented upon the fact that so many men called for military service were found to be suffering from physical defects due in a large measure to lack of proper outdoor exercise. It commented also on the great part that games and sports on Sunday afternoons had had in keeping up the morale of the men in the military camps and that it in no way interferred with religious instruction. The prayer for the injunction was consequently refused.

✤

Woman Suffrage.—In the case of *Vertrees* v. *State Board of Elections*[3] the supreme court of Tennessee denied an injunction against the operation of the woman suffrage law. The principal objection urged against the law was that it was permitting women to vote without the payment of a poll tax such as the men had to pay. The court held that this act did not discriminate against the men because the act has nothing to say about such a poll tax. The legislature had simply failed to pass such an act imposing a poll tax on women. The court also decided that in so far as the act permits women to vote after six months in a county, it does not repeal the Nashville charter requiring six months residence in the city and, therefore, does not descriminate in favor of the women by allowing them to vote after a shorter residence than is required of male voters.

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Franchise Rates.—The city of Memphis asked for an injunction against the railroad commission to prevent them from hearing a petition of the street railway company to increase their fare above five cents. The basis of the bill was that chapter 49 of the acts of 1919 was unconstitutional and void. In the case of the *City of Memphis* v. *Enloe*[4] the supreme court of Tennessee disposed of the objections seriatim, holding that the act was not invalid because it embraced more than one subject, that it did not make an arbitrary and illegal classification, the city not being entitled to complain against such classification, that the provisions requiring a depreciation account and the permission of the commission for the right to issue stock is not an arbitrary classification or descriminatory, and that the act extending the power of the commission to fix rates previously fixed by ordinance is not invalid as impairing the obligation of a contract.

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[1] 173 N. Y. Sup. 214.

[2] 173 N. Y. Sup. 417.

[3] 214 S. W. 737.

[4] 214 S. W. 71.

The supreme court of South Dakota in the case of *Watertown* v. *Watertown Light & Power Co.*[1] held that while the city council cannot bind its successors in the exercise of the police power, it can when properly authorized make a contract for the rendering of public service by corporations in which the rates to be charged are fixed, which contract is no more subject to impairment than the contract of individuals. Under a franchise granting an electric light company the right to charge a maximum rate for electricity or a less rate and requiring it to furnish service under reasonable regulations to be approved by the city council, the electric light company could change its schedule of rates without the consent of the city council so long as it did not exceed the prescribed maximum.

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Contamination of Water Supply.—The rule that when there are several possible causes of injury, the plaintiff must prove that his injury was sustained by a cause for which the defendant is responsible, is complied with where such fact is shown with reasonable certainty. In *Stubbs* v. *Rochester*[2] the New York court of appeals held that evidence that a city water supply was badly contaminated, that there was an increase in typhoid cases during such period, there being medical opinion that plaintiff's attack of typhoid was due to such contamination, held to make a jury question whether plaintiff contracted typhoid through drinking contaminated water instead of through some other possible cause.

Robert E. Tracy.

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[1] 173 N. W. 739.

[2] 124 N. E. 137.

IV. MISCELLANEOUS

Motion Pictures to Advertise Omaha.—The Omaha chamber of commerce has projected a novel kind of motion pictures to advertise its city. Instead of the stereotyped city-advertising films that lack human interest and have little more than a local appeal, a picture drama has been worked out in which the story of Omaha is interwoven with a story of love and adventure, entitled "When East Meets West." The picture begins with a Missouri river scene showing the explorers Lewis and Clark turning their canoe toward the shore to camp for the night in 1804 on the present site of Omaha. Powwows and Indian dances follow.

In 1919 there comes another explorer, a young aviator, out from New York to visit the Red Cross girl he met in France. She takes him about to show him the town. They visit the great transcontinental railroad yards and the acres of stockyards. They spin over beautiful boulevards, through blooming parks, and, at a slower rate, down busy commercial streets. The young aviator wants to see Omaha industries and something of the country beyond the city limits. It turns out he chose a fortunate time to "go West, young man," for Ak-Sar-Ben, Omaha's carnival, is on. He invites the girl to an airplane ride, and thus views what the city looks like from the clouds. In the end, he decides he likes the town as well as the girl—and stays with both.

It is stated that society women and leading business men of Omaha will play rôles in this picture drama and that the film will be shown on a wide national scale. There is nothing essentially different between this projection and many straight picture dramas, such as those in which the cowboy hero visits Broadway, except that the thing is done deliberately for advertising purposes. With proper skill the idea may be used effectively for advertising municipalities through the medium of motion pictures.

*

The New York City Club has elected Raymond V. Ingersoll its secretary in place of Richard V. Harrison, who has resigned. Mr. Ingersoll comes to the office well equipped for the work, as he has served as a city magistrate and superintendent of public parks, as well as abroad in the Y. M. C. A. during the war. He has been affiliated as an officer and a member of important committees of many civic organizations and is now the treasurer of the National Municipal League.

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Administrative Consolidation in State Governments

BY

A. E. BUCK

New York Bureau of Municipal Research

Illinois, in 1917, consolidated over one hundred state offices, boards and bureaus into nine departments under directors chosen by the Governor, with promising results. Idaho and Nebraska followed in 1919. Massachusetts has adopted a defective plan. Delaware and New York are considering good proposals.

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ADMINISTRATIVE CONSOLIDATION IN STATE GOVERNMENTS[1]

BY A. E. BUCK

I—INTRODUCTION

What Administrative Consolidation Is

Already the term "administrative consolidation," as applied to state governments, has come to have a very definite meaning. It is, in brief, the reorganization of the several offices and agencies concerned with the administration of the state's affairs into a few co-ordinate departments with heads appointed by the governor and responsible to him. Integration of the administration is thus brought about; useless and obsolete offices and agencies are abolished, and related functions are grouped under the same departmental management. Responsibility for the administration is fixed,—the governor and his few department heads are placed in the limelight of public opinion. The effective operation of an executive budget system becomes possible, since the governor is no longer hampered in the formulation and execution of the financial plan by numerous and independent administrative officers and agencies.

Administrative Consolidation Not a New Idea in American Government

Administrative consolidation is not a new idea in the government of this country, even though it is but just beginning to be applied to state governments and to county governments practically not at all. More than a century ago our national administration was organized into a few departments largely upon the basis of a co-ordinate grouping of the functions to be performed. Since then other departments have been added from time to time as new fields of work have developed until the present number is ten. These ten departments perform practically all the regular administrative functions of the national government. Recently, however, a few quasi-legislative functions, as the regulation of interstate commerce, have been vested in special boards or commissions, but usually any new administrative work is placed under one of the existing departments. The department heads are appointed by the president with the approval of the senate and serve at the president's pleasure. In practice the senate's approval is merely a matter of form, and the president is as free in the choice as in the removal of the department heads. Collectively the department heads form the president's cabinet which meets with him for the discussion of matters relating to the administration.

During the last twenty years municipal administration has been organized and reorganized along the lines of consolidation. Up to the present time about four hundred cities have adopted the commission form of government, the essential feature of which from the standpoint of administrative organization is the grouping of all offices and agencies of the city under a few departments, usually five, each under the control of a single commissioner. Out of the commission form of city government has been evolved very recently the city manager plan in which the commission becomes mainly a legislative body and chooses the manager who exercises supervisory control over the whole city administration organized into a few departments. More than one hundred and thirty cities have already adopted the city manager form of government.

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[1] A more detailed treatment of the subject by the writer of this article appears in a "Report on Retrenchment and Reorganization in the State Government," recently published by the New York State Reconstruction Commission.

Consolidation Movement in State Governments

The movement for the reorganization and consolidation of state administration began about ten years ago. In 1909, and again in 1911, the People's Power League of Oregon proposed a plan for the reorganization of the state government, which was designed to centralize administrative authority in the governor. Its proposals, however, were never adopted.

The New Jersey legislature of 1912 created a "commission on the reorganization and consolidation of different departments of the state government whose functions are interrelated." The recommendations of this commission did not cover the entire field of administration, but were confined mainly to the setting up of certain consolidated departments. The plan of partial consolidation proposed by the commission was largely adopted by the 1915 legislature, which provided for the establishment of departments of conservation and development, commerce and navigation, taxes and assessments, and shell fisheries. The 1916 legislature provided for the reorganization of the departments of labor and agriculture, and the 1918 legislature created a department of charities and corrections (institutions and agencies) under which are grouped all the charitable and penal institutions of the state.

The first comprehensive plans of administrative consolidation to be proposed were those of Minnesota and Iowa[1]. In 1913 the governor of Minnesota appointed a commission, and the legislature of Iowa created a committee, both of which conducted studies of the administration of their respective states. The Minnesota commission with the assistance of Dr. E. Dana Durand, former director of the United States Census, published in 1914 two reports in which recommendations were made for administrative consolidation and the adoption of a budget system. In the matter of administrative reorganization the commission pointed out that the main defects of the existing system were multiplicity of independent branches, diversity of form, and predominance of the board system. The commission in its first report recommended the establishment of six departments, namely, finance, public domain, public welfare, education, labor and commerce and agriculture. Its second report eliminated the department of finance. A few functions, such as those of the civil service commission and the tax commission, were not included in the proposed departments. The reorganization did not affect the constitutional offices. All the proposed departments, except finance and education, were to have single heads appointed by the governor. The department of finance was to be headed by the treasurer, a constitutional elective officer, and the department of education by a director appointed by a board in turn appointed by the governor. The several department heads were to hold office at the pleasure of the governor and were to form the governor's cabinet, similar to the cabinet of the president. The

[1] Moley, R., "The State Movement for Efficiency and Economy," *Municipal Research*, No. 90.

commission recommended that advisory boards, the members of which were to be appointed by the governor with overlapping terms, be attached to the departments of public domain, welfare and agriculture. While the work of this commission failed to accomplish anything for Minnesota other than probably the passage of a state budget law in 1915, it has been of value because of its influence upon subsequent consolidation plans.

The Iowa committee engaged Quail, Parker and Company, a firm of efficiency engineers, to make a survey of the state administration. The final report of this firm was submitted to the committee late in 1913. This report proposed the establishment of seven departments: agriculture, commerce and industries, public works, public health, public safety, education, and charities and corrections. The governor was to be the head of the department of public safety, and the heads of the remaining departments were to be appointed by the governor with the approval of the senate. There was recommended in addition to these departments a department of finance in which would be united the offices of auditor and treasurer, also a legal department constituted by a union of the offices of secretary of state and attorney general. However, the constitutional status of these officers was not to be changed. Almost a year after this report was submitted to the committee, it in turn prepared a report for the 1915 legislature. The committee's report provided for the grouping of practically all of the administrative functions of the state into three departments designated as social progress, industries, and public safety. The distribution of functions among these departments was somewhat arbitrary and the agencies performing them were in most instances independent of each other. Each department was to be under the control of a single head appointed by the governor. No legislation resulted from the recommendations of either report.

New York was the next state to consider seriously the subject of administrative consolidation. A detailed study of the existing organization of the state was made by the department of efficiency and economy in co-operation with the New York Bureau of Municipal Research preparatory for the work of the constitutional convention of 1915. The results of this study were published early in 1915 in a volume entitled "Government of the State of New York: A Survey of Its Organization and Functions." Later the New York Bureau of Municipal Research was requested by the constitutional convention commission to prepare an appraisal of the existing organization of the state government. Accordingly, a volume was issued by the Bureau entitled "The Constitution and Government of the State of New York"[1] in which the structure and methods of the state government were analyzed. Upon the basis of these reports and other information the convention finally adopted a plan of administrative organization providing for the creation of seventeen departments to perform the administrative functions scattered among more than one hundred and sixty existing offices, boards and agencies. These departments were law, finance, accounts, treasury, taxation, state, public works, health, agriculture, charities and corrections, banking, insurance, labor and industry, education, public utilities, conservation, and civil service. The comptroller and the attorney general, both elected for the same term as the governor, were to be the heads of the departments of finance and law, respectively. The department of labor and industry was to be headed by an industrial commission or a commissioner, as provided by law, in either case appointed by the governor with the approval of the senate. The department of public utilities was to consist of two commissions, the commissioners to be appointed by the governor with the approval of the senate. The chief administrative officer of the department of education was to be appointed by the regents of the state university. The department of conservation was to be under the control of a commission of nine members appointed by the governor with the approval of the senate for overlapping terms of nine years and serving without compensation. This commission in turn was to appoint the executive head of the department. The department of civil service was to be headed by a commission of three members appointed by the governor with the senate's approval for overlapping terms of six years. The remaining ten departments were to have single heads appointed by the governor and serving at his pleasure. After the adoption of this plan of organization all new administrative functions were to be assigned to one of the existing departments, and no new departments were to be created by the legislature. The plan reduced the number of elective constitutional officers from seven to four, leaving only the governor, lieutenant governor, comptroller and attorney general elective. The proposed constitution, containing this plan of administrative reorganization, was submitted to the people of the state in November, 1915, and was defeated. Until the present year, when the state reconstruction commission began its work, there has been little attempt to revive the movement for administrative reorganization and consolidation. The work of this commission will be taken up later.

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[1] *Municipal Research*, No. 61.

The first comprehensive plan of administrative consolidation was adopted by Illinois in 1917 after a careful survey had been made of all the state's administrative agencies. In 1919 Idaho and Nebraska adopted consolidation plans similar to that of Illinois. An amendment to the Massachusetts constitution ratified in November 1918 provided for the reorganization and consolidation of the administrative agencies of the state into not more than twenty departments which were to be constituted by statute. The 1919 legislature recently enacted a law which will put this amendment into operation on December 1, 1919. The consolidation plan of each of these four states will be discussed at some length in subsequent parts of this article.

In Oregon, Delaware and California plans for administrative consolidation have been recently proposed for the consideration of the legislatures. These plans, as well as that recently proposed for New York, will be considered in the latter part of this article.

The interest other states have recently manifested in the subject of administrative consolidation clearly indicates a rapid spreading of the movement. The 1919 legislature of Ohio authorized the appointment of a joint committee to conduct investigations and to prepare a plan of administrative consolidation for consideration by the next legislature. The governors of a number of states, notably those of Indiana, Vermont, North Carolina, Michigan, Minnesota, Nevada and North Dakota, recommended the consolidation of administrative agencies to their 1919 legislatures.

II—CONSOLIDATION PLAN OF ILLINOIS

Survey of the State Administration

By an authorization of the 1913 legislature of Illinois a committee on efficiency and economy was appointed, consisting of four members from each house of the legislature. This committee was given the power to investigate the work of the administrative agencies of the state government with a view to recommending consolidation. An appropriation of forty thousand dollars was made for the employment of investigators and assistants. In the summer of 1913 the committee organized a staff under the direction of Professor John A. Fairlie of the University of Illinois. As a result of the investigations conducted by the staff and the hearings held by the committee two reports were issued,—one a preliminary report in the summer of 1914 and the other a general report almost a year later. The last report, a volume of more than a thousand pages, contained the recommendations of the committee and the reports of the staff investigators. Among the defects of the existing administrative arrangement as pointed out by this report were lack of correlation, scattered offices, no standards of compensation, overlapping of functions, ineffective supervision, no budget system, and irresponsible government.

Recommendations for Consolidation by Committee

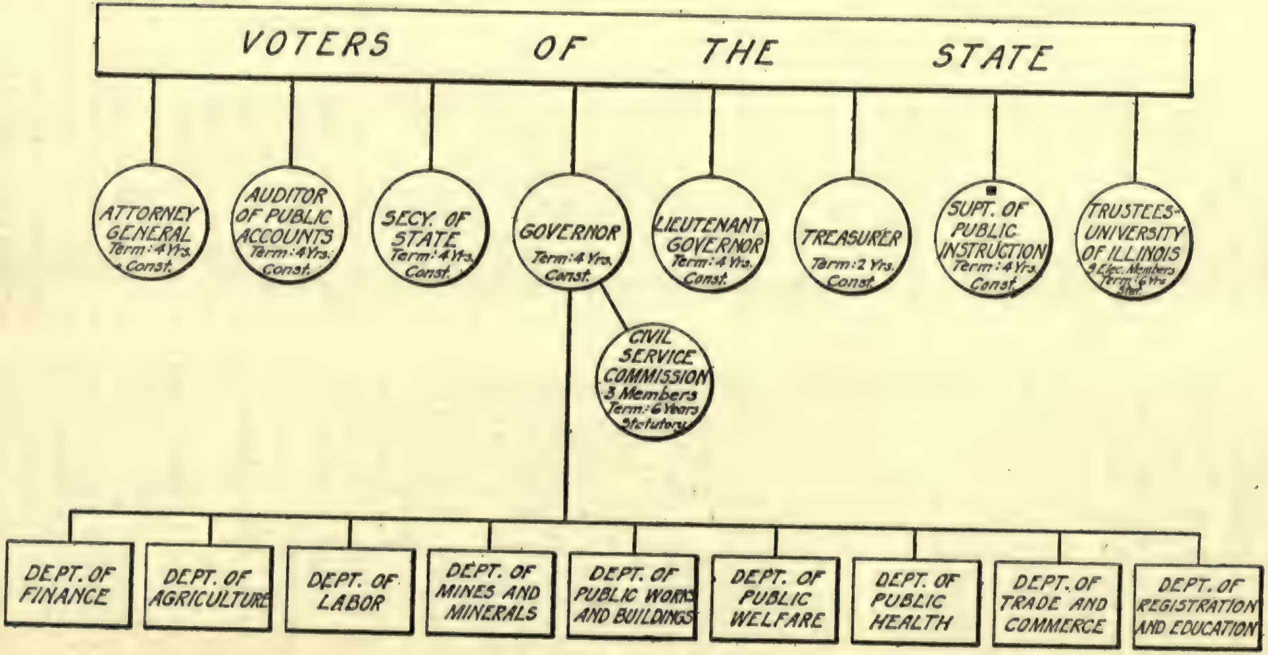
The committee on efficiency and economy in its final report recommended the consolidation of practically all the administrative agencies, except the secretary of state, civil service commission, board of elections and legislative reference bureau, into ten departments: finance, charities and correction, education, public works and buildings, trade and commerce, agriculture, public health, labor and mining, law, and military affairs. The departments of finance, charities and corrections, trade and commerce, public works and buildings, and education were to be under the direction of commissions.

The departments of agriculture, labor and mining, and public health were to be under the control of single heads appointed by the governor with the senate's approval. The attorney general, a constitutional officer, was to head the department of law. The department of military affairs was to continue as already organized. No action was taken upon the recommendations of the committee by the 1915 legislature.

Governor Lowden's Rôle in the Reorganization

Both in his primary campaign during the summer of 1916 and in his inaugural message Governor Lowden urged the establishment of a budget system and the adoption of a plan of administrative consolidation. Immediately after his inauguration work was begun upon the drafting of a plan of consolidation, using the reports of the efficiency and economy commission as a basis; however, "the specific form of organization recommended by the committee was, after mature deliberation, rejected as not conducive to either strength, harmony or unity of administration."[7] Apparently, the committee had not been consistent in its recommendations for the overhead organization of the proposed departments: some were to be administered by single heads, others by boards. For example the proposed department of finance was to be under a state finance commission, consisting of a state comptroller, tax commissioner and revenue commissioner, appointed by the governor with the senate's approval, and the auditor of public accounts and state

ILLINOIS
ORGANIZATION OF STATE ADMINISTRATION UNDER THE CIVIL ADMINISTRATIVE CODE OF 1917
AS AMENDED IN 1919


VOTERS OF THE STATE
ATTORNEY GENERAL Term: 4 Yrs. Const.
AUDITOR OF PUBLIC ACCOUNTS Term: 4 Yrs. Const.
SECY. OF STATE Term: 4 Yrs. Const.
GOVERNOR Term: 4 Yrs. Const.
LIEUTENANT GOVERNOR Term: 4 Yrs. Const.
TREASURER Term: 2 Yrs. Const.
■ SUPT. OF PUBLIC INSTRUCTION Term: 4 Yrs. Const.
TRUSTEES-UNIVERSITY OF ILLINOIS 9 Elec. Members Term: 6 Yrs. Stat.
CIVIL SERVICE COMMISSION 3 Members Term: 6 Years Statutory
DEPT. OF FINANCE
DEPT. OF AGRICULTURE
DEPT. OF LABOR
DEPT. OF MINES AND MINERALS
DEPT. OF PUBLIC WORKS AND BUILDINGS
DEPT. OF PUBLIC WELFARE
DEPT. OF PUBLIC HEALTH
DEPT. OF TRADE AND COMMERCE
DEPT. OF REGISTRATION AND EDUCATION

Departments created under the Civil Administrative Code are indicated by squares. Adjutant General and a few minor and temporary agencies have been omitted from this chart.

■ Ex officio member of Board of Trustees,- University of Illinois.

1919

N.Y. Bureau of Municipal Research.

treasurer, both constitutional elective officers. The work of the department was to be divided among members of the commission. No responsible head would have control of all the activities of the department. Governor Lowden, therefore, came to the conclusion that while most of the general recommendations of the committee were good and ought to be followed, its specific recommendations for the overhead organization of the departments were not only "inexpedient, but detrimental to administrative efficiency." It was his desire that the reorganization should follow a consistent and uniform plan, which might later be made to include the constitutional administrative officers, since it was deemed inexpedient at that time to attempt a change in the constitution. Accordingly, an act, called the "civil administrative code of Illinois," was drafted and passed the 1917 legislature.

Organization Under the Civil Administrative Code

The civil administrative code abolished more than one hundred statutory offices, departments, boards and agencies and consolidated their functions under nine departments, namely, finance, agriculture, labor, mines and minerals, public works, public welfare, public health, trade and commerce, and registration and education. These departments do not include the functions of the constitutional officers, the trustees of the University of Illinois, the civil service commission and several minor and temporary administrative agencies. The elective state board of equalization was not at first included, but it has since been abolished by the 1919 legislature and its functions placed in the department of finance.

Each of the departments has a single head, called a director, appointed by the governor with the approval of the senate for a term of four years (same as that of the governor), beginning in January following the governor's election. The directors receive an annual salary varying from $5,000 to $7,000. Some of the directors are required to have special technical or professional qualifications. Forty-one subordinate offices are created and attached to the several departments, the annual salaries of these ranging from $3,000 to $5,000. While the manner of appointment of these officers is the same as that of the directors, they are nevertheless under the control of the heads of their respective departments. Each department is empowered to appoint its employees subject to the civil service regulations of the state.

Wherever quasi-legislative or quasi-judicial functions are included in the work of the code departments, boards have been provided to perform such functions. These include an industrial commission in the department of labor, a mining board and a miner's examining board in the department of mines and minerals, a tax commission in the department of finance, a public utilities commission in the department of trade and commerce, a normal school board in the department of registration and education, and a food standards commission in the department of agriculture. The members of these boards are appointed by the governor with the approval of the senate. All serve for a term of four years, except the members of the tax commission and the normal school board, which are appointed for overlapping terms of six years. The members of most of these boards are salaried, the maximum annual salary being $7,000 in the case of the public utilities commission. Each of these boards acts as an entity. While the director of mines and minerals is a member of the mining board and the director of registration and education is a member of the normal school board, each board, nevertheless, exercises its functions without any supervision or control by the director of the department to which it is attached. Each board is, however, not only a component part of the department to which it belongs, but is under the general system of finance and budget to which all officers named in the code are subjected.

In determining questions of policy advisory boards have been provided to assist and advise the directors of the departments and the governor. There is a board of agricultural advisors in the department of agriculture, a board of Illinois free employment office advisors and a board of local Illinois free employment office advisors in the department of labor, a board of art advisors, a board of water resource advisors, a board of highway advisors and a board of parks and buildings advisors in the department of public works, a board of welfare commissioners in the department of public welfare, a board of public health advisors in the department of public health, and a board of natural resources and conservation advisors in the department of registration and education. The members of these advisory boards receive no compensation. In some instances they are required to have specific qualifications.

The department of finance is regarded as being not only the most important of the code departments, but as having practically a new field of work. Outside of the functions of the governor's auditor and the compilation of budget estimates by the legislative reference bureau it took over no work performed by previously existing administrative agencies. Briefly, the functions of this department are to examine the accuracy and legality of accounts and expenditures of other code departments; to prescribe and install a uniform system of accounting and reporting; to examine, approve or disapprove all bills, vouchers and claims against the other departments; to prepare the budget for submission to the governor; and to formulate plans for better co-ordination of the work of the departments. Under the finance code, enacted by the 1919 legislature, the powers of this department are extended in a large measure over the non-code departments and agencies. Through his power to alter the estimates in the preparation of the budget, the director of finance next to the governor becomes the most powerful officer in the code administration. The subordinate officers of this department, as specified in the code, are the assistant director of finance, administrative auditor, superintendent of budget and superintendent of department reports.

All agricultural and related activities, as well as food inspection, are included under the department of agriculture. This department promotes horticulture, live stock industry, dairying, poultry raising, bee keeping, forestry, fishing and wool production. It gathers and disseminates knowledge pertaining to agricultural interests. The inspection of commercial fertilizers and the conduct of state fairs are under its control. Under the director of agriculture there is an assistant director, general manager of the state fair, superintendent of foods and dairies, superintendent of animal industry, superintendent of plant industry, chief veterinarian and chief game and fish warden.

The functions relating to the regulation of labor, the promotion of the welfare of wage earners and the improvement of working conditions are performed by the department of labor. This department collects, systematizes and reports information concerning labor and employment conditions throughout the state. The subordinate officers of the department, besides an assistant director, are a chief factory inspector, a superintendent of free employment offices, and a chief inspector of private employment agencies. The industrial commission under this department administers the laws pertaining to arbitration and conciliation.

The department of mines and minerals controls the inspection of mines, the examination of persons working in mines, and the fire fighting and mine rescue stations. Attached to the department are the mining board, consisting of four members and the director of the department, and the miners' examining board, composed of four members.

The department of public works and buildings, next to the department of finance, is probably the most important. It has control over the construction of highways and canals, supervision of waterways, erection of public buildings and monuments, upkeep of parks and places of interest, and purchase of supplies for the departments and charitable and penal institutions. The purchasing division of the department amounts practically to a central purchasing agency for the code departments. Leases are made for the several departments by this department. Besides the assistant director of the department there is a chief highway engineer, a supervising architect, a supervising engineer, and five superintendents, namely, of highways, waterways, printing, purchases and supplies, and parks.

The department of public welfare has jurisdiction over all charitable, penal and reformatory institutions of the state. It also performs the functions of the board of pardons. The department has an alienist, criminologist, fiscal supervisor, superintendent of charities, superintendent of prisons and superintendent of pardons and paroles.

The department of public health exercises general functions relating to health and sanitation except the examination and registration of physicians, and embalmers. It maintains chemical, bacteriological and biological laboratories, and distributes antitoxines, vaccines and prophylactics for the prevention and treatment of communicable diseases.

The department of trade and commerce has charge of the regulation of insurance, grain inspection, inspection of railway safety appliances, fire inspection, and the regulation of weights and measures. The public utilities commission operates under this department.

The principal work of the department of registration and education is the examination of applicants for state licenses in the trades and professions. In conducting such examinations the department has the assistance of ten examining boards, one for each trade or profession, the members of which are appointed by the director. The administration of the state normal schools is placed in this department under the direction of the normal school board. The department acts as an investigating agency for a number of the other departments.

Operation of the Consolidation Plan

In his message to the 1919 legislature Governor Lowden said concerning the operation of the Illinois consolidation plan:

"The civil administrative code went into effect on July 1, 1917. It amounted to a revolution in government. Under it a reorganization of more than one hundred and twenty-five boards, commissions and independent agencies was affected. Nine departments, with extensive and real power vested in each head have taken the place of those bodies, which were abolished, and discharged, under the general supervision of the governor, the details of government for which the governor is responsible. At the time the bill was up for consideration it was claimed that it would result in both efficiency and economy.

"It has more than justified all the expectations that were formed concerning it. The functions of the government are discharged at the capitol. The governor is in daily contact with his administration in all its activities. Unity and harmony of administration have been attained, and vigor and energy of administration enhanced.

"It seems to me almost providential that it should have been enacted into law before war actually came. A large number of the state's most expert officials and employees were drawn upon by the government at Washington because of the exigencies of the war. The same difficulties arose in the conduct of public business, which vexed private business so much. There was necessarily much confusion. The cost of all supplies rose rapidly. Unless the more than one hundred scattered agencies, which had existed heretofore, had been welded by the civil administrative code into a compact and co-ordinate government, anything like efficient state government, during these difficult times, would have been impossible. Illinois, through the greater elasticity and efficiency of her new form of government, was able to meet every emergency of the war without an extraordinary session of her legislature."

III—THE IDAHO CONSOLIDATION PLAN

Passage of the Administration Consolidation Act

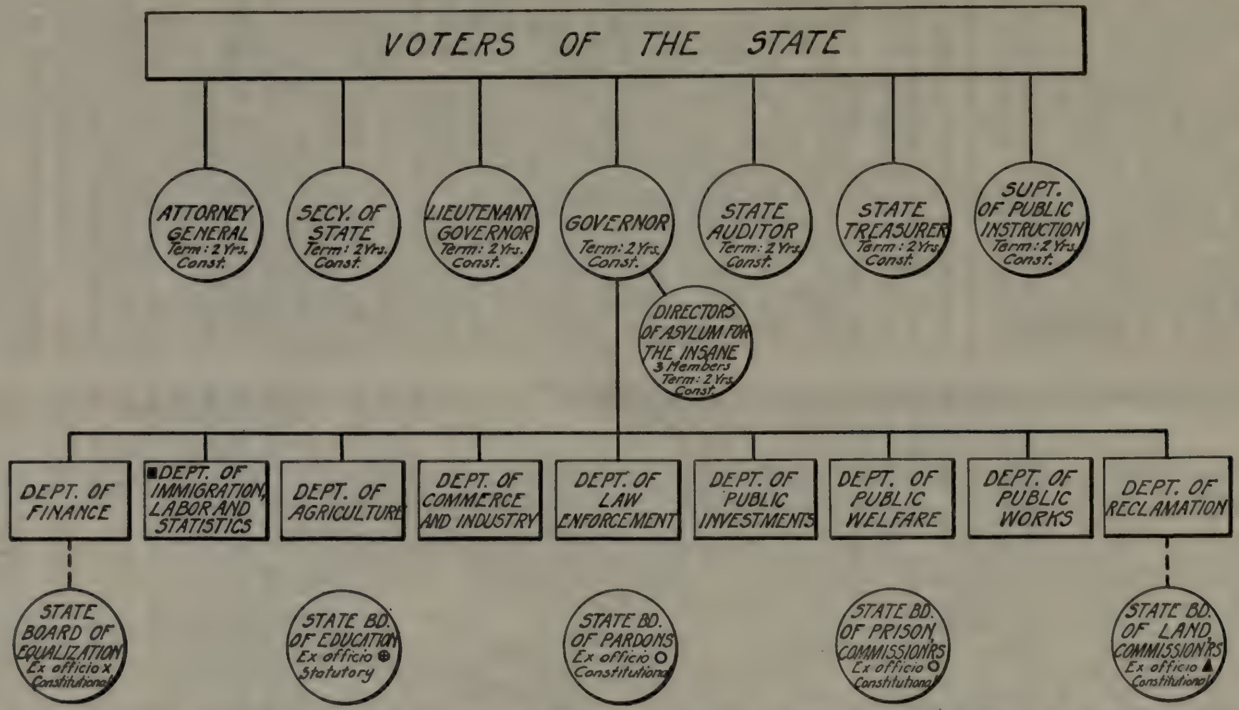
Without a preliminary survey but with the backing of Governor Davis, the 1919 legislature of Idaho passed as an emergency measure under the constitution an "administration consolidation act," which went into effect on March 31. This act abolished some forty-six offices, boards and commissions and consolidated their functions into nine departments. The state administration in so far as it is not definitely prescribed by the constitution was completely reorganized. The state board of education is the only previously existing statutory board that continues.

The purpose and scope of the consolidation act are indicated by section 1, which says: "The supreme executive power of the state is vested by the constitution . . . in the governor, who is expressly charged with the duty of seeing that the laws are faithfully executed. In order that he may exercise the portion of the authority so vested and in addition to the powers now conferred upon him by law, civil administrative departments are hereby created, through the instrumentality of which the governor is authorized to exercise the functions in this chapter assigned to each department respectively."

Organization under the Act

The departments created by the administration consolidation act are as follows: agriculture; commerce and industry; finance; immigration, labor and statistics; law enforcement; public investments; public welfare; public works; and reclamation. Each department has a single head called a commissioner. These commissioners, except the commissioner of immigration, labor and statistics, are appointed by the governor and may be removed by him at his pleasure. The commissioner of immigration, labor and statistics, who acts as head of the department of immigration, labor and statistics, is a constitutional officer appointed by the governor with the approval of the senate for a term of two years. Certain experience qualifications are prescribed for some of the department heads as well as their subordinate officers. Each commissioner receives an annual salary of $3,600. The commissioners with the approval of the governor fix all

IDAHO
ORGANIZATION OF STATE ADMINISTRATION
UNDER THE ADMINISTRATION CONSOLIDATION ACT OF 1919


VOTERS OF THE STATE
ATTORNEY GENERAL Term: 2 Yrs. Const.
SECY. OF STATE Term: 2 Yrs. Const.
LIEUTENANT GOVERNOR Term: 2 Yrs. Const.
GOVERNOR Term: 2 Yrs. Const.
STATE AUDITOR Term: 2 Yrs. Const.
STATE TREASURER Term: 2 Yrs. Const.
SUPT. OF PUBLIC INSTRUCTION Term: 2 Yrs. Const.
DIRECTORS OF ASYLUM FOR THE INSANE 3 Members Term: 2 Yrs. Const.
DEPT. OF FINANCE
■DEPT. OF IMMIGRATION, LABOR AND STATISTICS
DEPT. OF AGRICULTURE
DEPT. OF COMMERCE AND INDUSTRY
DEPT. OF LAW ENFORCEMENT
DEPT. OF PUBLIC INVESTMENTS
DEPT. OF PUBLIC WELFARE
DEPT. OF PUBLIC WORKS
DEPT. OF RECLAMATION
STATE BOARD OF EQUALIZATION Ex officio x Constitutional
STATE BD. OF EDUCATION Ex officio ⊕ Statutory
STATE BD. OF PARDONS Ex officio ○ Constitutional
STATE BD. OF PRISON COMMISSION'RS Ex officio ○ Constitutional
STATE BD. OF LAND COMMISSION'RS Ex officio ▲ Constitutional

■ Head is Commissioner of Immigration, Labor and Statistics, a constitutional officer appointed by the Governor with consent of the Senate, for a term of two years.
x Governor, Auditor, Treasurer, Secretary of State, Attorney General.
⊕ Supt. of Public Instruction, Secretary of State, Attorney General.
○ Governor, Secretary of State, Attorney General
1919

▲ Governor, Auditor, Secy. of State, Atty.General and Supt. of Public Instruction.
Departments created under Administration Consolidation Act are indicated by squares.
The Adjutant General and several minor agencies have been omitted from this chart.

N.Y Bureau of Municipal Research

other salaries, but not to exceed the amounts appropriated by the legislature. Twelve subordinate officers, specifically provided for in the act, are appointed by the governor and placed under the control of the commissioners. However, the internal organization of each department is left largely to the discretion of the commissioner.

The department of agriculture has control over the agricultural, horticultural and live stock functions of the state, and in addition, the regulation of weights and measures. This department collects and publishes data concerning farm production and marketing, assists and promotes the organization of farmers' institutes and local fairs, and acts as an employment agency for the distribution of farm labor. Within the department are four directors, namely, markets, animal industry, plant industry, and fairs. The department has a non-executive board, known as the board of agricultural advisors, which happens to be the only advisory board created by the consolidation act. It consists of nine unpaid persons, appointed and removable by the governor. They must be citizens engaged in agricultural pursuits, not excluding representatives of the agricultural press and of the state agricultural experiment station.

The department of commerce and industry executes the laws relating to the banking and insurance business carried on within the state. It also regulates investment companies and administers the state industrial insurance fund. Under the head of the department there is a director of insurance, and a manager of state industrial insurance.

The department of finance exercises the functions of the state examiner and the state depository board. It prescribes forms and installs uniform accounting procedure. It inspects securities and state depositories and examines accounts of agencies receiving money from the state. The assessment of property and the levy, collection, apportionment and distribution of taxes are under the control of this department. The state board of equalization, a constitutional and *ex officio* body, co-operates with this department in the exercise of its taxation functions. The collection of the estimates and other budget data is also a function of this department. The head of the department of finance prepares from this information a tentative budget plan which he presents to the governor and the governor-elect.

The department of immigration, labor and statistics is the bureau of immigration, labor and statistics, previously established by the constitution. The principal work of this department is to promote the welfare of workers through investigations of their commercial, industrial, social and sanitary relations and conditions.

The department of law enforcement examines and registers applicants for licenses in the various professions. It controls the regulation and registration of motor vehicles. It supervises the fish hatcheries and game preserves of the state. To assist the department in the registration of occupations, the commissioner may name boards of from three to five members from the various professions to conduct the examinations for licenses.

The department of public investments controls, loans and invests all the permanent funds of the state in the manner provided for by the constitution. It also controls all securities in which the permanent funds of the state are invested.

The department of public welfare directs the state sanitariums and the soldiers' home. It also exercises functions in connection with public health and food inspection.

The department of public works constructs and maintains the state highway system. The county and highway district commissions are required to co-operate with this department.

The department of reclamation is concerned mainly with irrigation. The state board of land commissioners, an *ex officio* and constitutional body, co-operates with the department in its work.

IV—NEBRASKA'S CONSOLIDATION PLAN

Movement for Administrative Consolidation

The 1913 legislature of Nebraska authorized a joint committee of the two houses to make a study of the administrative organization of the state. The report of this committee, which was made the following year, showed the need for reorganization and recommended that the legislature provide for a survey as a means of working out a consolidation plan. The legislature took no immediate action, but both Governors Moreland and Neville in their messages to that body recommended the adoption of a plan of administrative consolidation and the establishment of an effective budget system. The platform upon which the present governor was elected pledged the party to the realization of a consolidation plan and budget system. Accordingly, the 1919 legislature under the leadership of Governor McKelvie passed a law, known as the "civil administrative code," which provides for the consolidation of most of the statutory administrative agencies of the state.

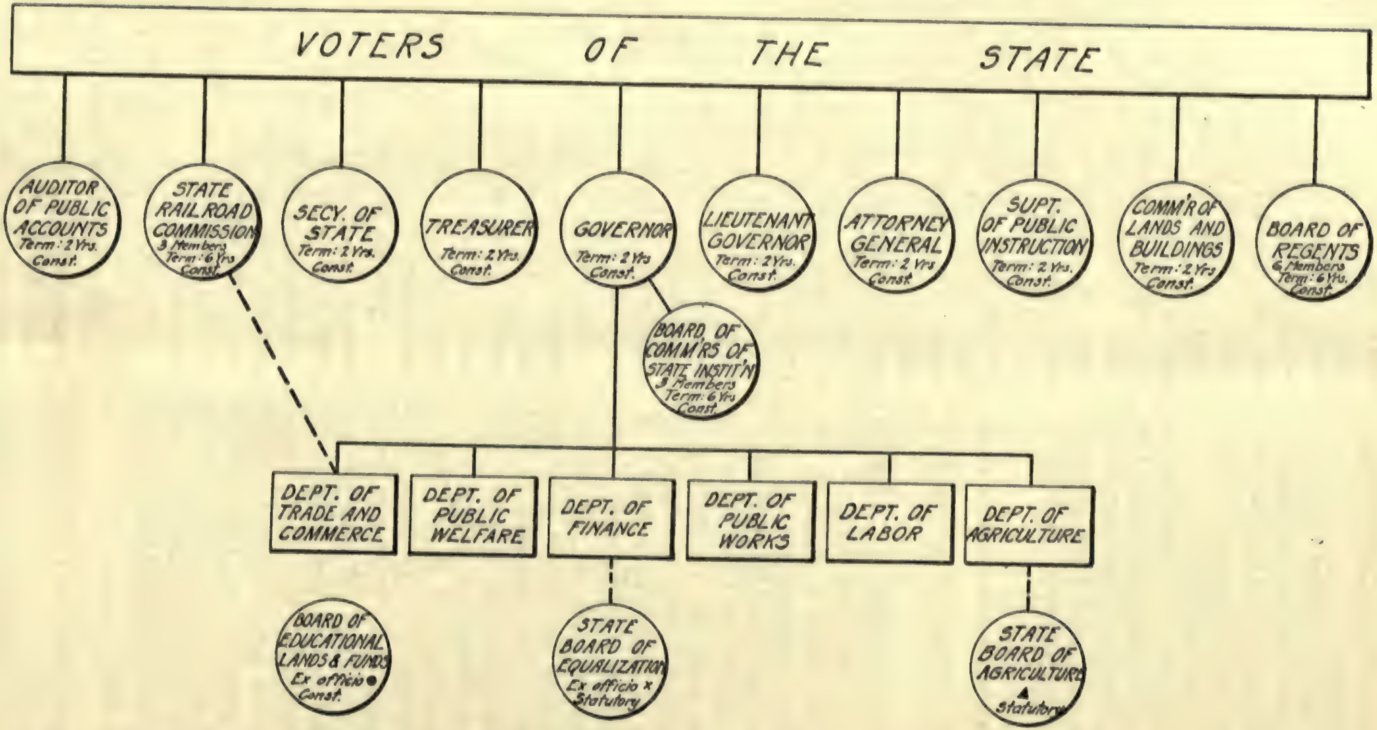
Organization under the Civil Administrative Code

The civil administrative code creates six departments as follows: finance, agriculture, labor, trade and commerce, public welfare, and public works. This reorganization does not include the constitutional administrative officers and four constitutional boards—the state railroad commission, the board of regents, the board of commissioners of state institutions, and the board of educational lands and funds. Two statutory boards, the state board of equalization and the state board of agriculture, are continued and are attached to the departments of finance and agriculture, respectively. Each of the six departments has a single head, called a secretary, who is appointed by the governor with the senate's approval for a term of two years. The secretaries each receive an annual salary of $5,000 which is twice that of the governor. No subordinate officers are designated in the code. The governor appoints the employees of the departments after consultation with the secretaries. The secretaries prescribe the regulations for their respective departments.

The work of the department of finance consists mainly of new functions. The department prescribes and installs uniform accounting methods and procedure. It controls the expenditures of the other departments and supervises their financial reports. It investigates duplication of work among the departments and acts as a staff agency to the governor in the preparation of the budget. Supervisory powers over the field of taxation are vested in this department. It also prescribes rules governing the purchase of supplies.

The department of agriculture, to which is attached in an advisory capacity the state board of agriculture, supervises the functions relating to agriculture, care of live stock and preservation of fish and game. Markets and marketing is a new division

NEBRASKA
ORGANIZATION OF STATE ADMINISTRATION UNDER THE CIVIL ADMINISTRATIVE CODE OF 1919


VOTERS OF THE STATE
AUDITOR OF PUBLIC ACCOUNTS Term: 2 Yrs. Const.
STATE RAILROAD COMMISSION 3 Members Term: 6 Yrs Const.
SECY. OF STATE Term: 2 Yrs. Const.
TREASURER Term: 2 Yrs. Const.
GOVERNOR Term: 2 Yrs Const.
LIEUTENANT GOVERNOR Term: 2 Yrs. Const.
ATTORNEY GENERAL Term: 2 Yrs Const.
SUPT. OF PUBLIC INSTRUCTION Term: 2 Yrs. Const.
COMM'R OF LANDS AND BUILDINGS Term: 2 Yrs Const.
BOARD OF REGENTS 6 Members Term: 6 Yrs. Const.
BOARD OF COMM'RS OF STATE INSTIT'N 3 Members Term: 6 Yrs Const.
DEPT. OF TRADE AND COMMERCE
DEPT. OF PUBLIC WELFARE
DEPT. OF FINANCE
DEPT. OF PUBLIC WORKS
DEPT. OF LABOR
DEPT. OF AGRICULTURE
BOARD OF EDUCATIONAL LANDS & FUNDS Ex officio ● Const.
STATE BOARD OF EQUALIZATION Ex officio × Statutory
STATE BOARD OF AGRICULTURE ▲ Statutory

● Governor, Secy. of State, Treasurer, Atty.-General, Commr. of Land and Bldgs.
× Governor, Auditor, Treasurer, Secy. of State, Commr. of Land and Bldgs.
▲ Composed mainly of representatives of State Agricultural Agencies.

The Adjutant General and several minor agencies have been omitted from this chart.
Departments created under the civil administrative are indicated by squares.

1919

N.Y. Bureau of Municipal Research.

of work which was added to this department by the code.

The department of trade and commerce regulates corporations, particularly banking and insurance companies, doing business within the state. The state railway commission, a constitutional elective board, co-operates with this department in the exercise of its functions.

The department of labor administers the workmen's compensation, the child labor law, the health and sanitary inspection, and the safety regulation of factories and other places of employment. In connection with this department is a state board of mediation and investigation, consisting of the governor and the six secretaries of the code departments.

The department of public works supervises the construction of highways, irrigation works and drainage systems within the state. It takes over the licensing of motor vehicles from the secretary of state's office.

The department of public welfare executes and enforces the laws relating to food inspection, sanitation and the prevention of contagious and communicable diseases. It conducts examinations for the licensing of all medical practitioners, embalmers and veterinary surgeons. The regulation of weights and measures is under its control. It directs the state system of charities and corrections, and regulates the maternity homes and the placing of dependent and delinquent children.

V—CONSOLIDATION PLAN OF MASSACHUSETTS

Preliminary Surveys of Administrative Agencies

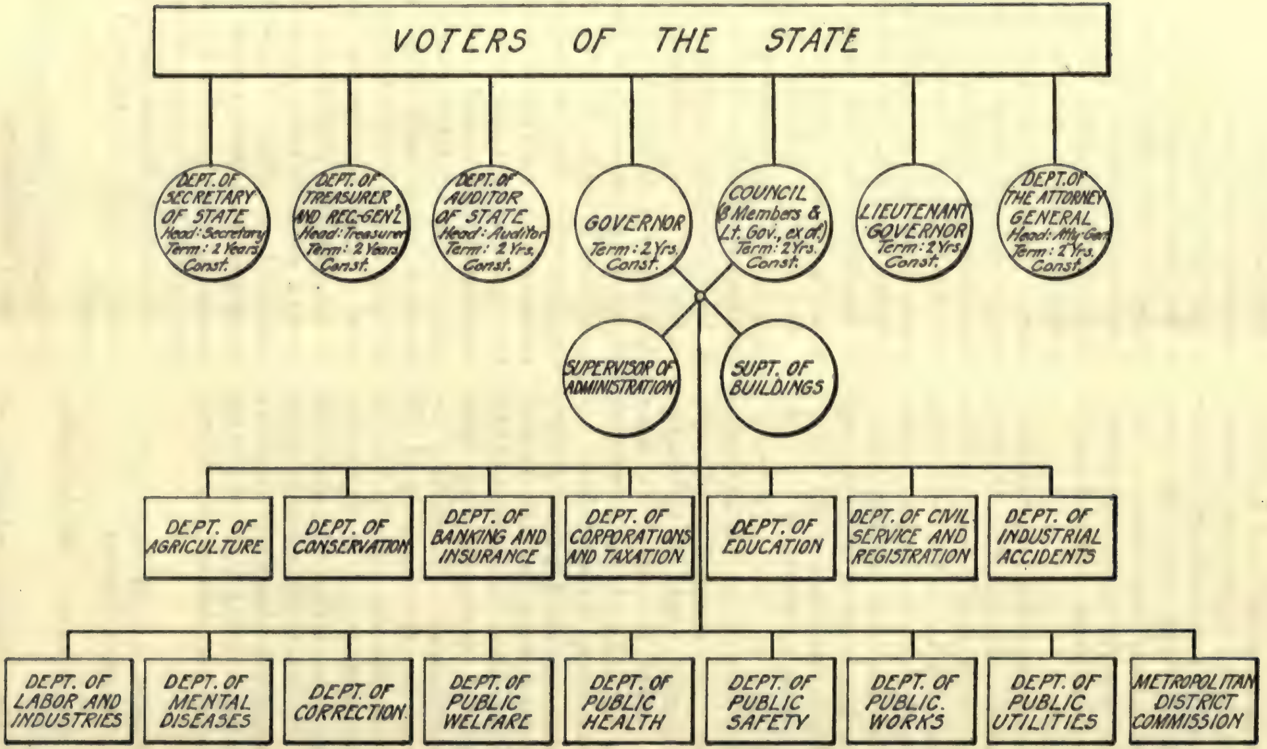
The Massachusetts legislature of 1912 created a commission on economy and efficiency consisting of three members. Among other things this commission made a study of the administrative organization and submitted to the governor in November 1914 a comprehensive report on "The Functions, Organization and Administration of the Departments in the Executive Branch of the State Government." This report contained no constructive proposals for reorganization and consolidation. Later, however, the commission made recommendations for the reorganization of the administration of the militia, the state normal schools, and the transfer of certain functions among the existing departments. In 1916 the commission was abolished and its functions given to the newly created supervisor of administration.

The 1917 legislature created a joint special committee on finances and budget procedure and authorized it to "investigate and consider the matter of the consolidation and abolition of commissions." This committee made a report to the 1919 legislature in which it stated that the administrative work of the state was performed by two hundred and sixteen more or less independent agencies—one hundred and ten of which had a single official in charge; three of which had a single official with an advisory council; and one hundred and three of which were headed by boards or commissions. The committee proposed a tentative plan of consolidation which did not affect the constitutional administrative officers, but grouped the remaining administrative agencies under eleven departments, the heads of which were to be appointed by the governor with the approval of the council.

Constitutional Amendment Providing for Consolidation

The constitutional convention of Massachusetts, which held its concluding sessions during the summer of

MASSACHUSETTS
ORGANIZATION OF STATE ADMINISTRATION UNDER CONSTITUTIONAL AMENDMENT OF 1918 AND CHAPTER 350, GENERAL LAWS OF 1919


VOTERS OF THE STATE
DEPT. OF SECRETARY OF STATE Head: Secretary Term: 2 Years Const.
DEPT. OF TREASURER AND REC.-GEN'L Head: Treasurer Term: 2 Years Const.
DEPT. OF AUDITOR OF STATE Head: Auditor Term: 2 Yrs. Const.
GOVERNOR Term: 2 Yrs. Const.
COUNCIL (8 Members & Lt. Gov., ex of.) Term: 2 Yrs. Const.
LIEUTENANT GOVERNOR Term: 2 Yrs. Const.
DEPT. OF THE ATTORNEY GENERAL Head: Atty. Gen. Term: 2 Yrs. Const.
SUPERVISOR OF ADMINISTRATION
SUPT. OF BUILDINGS
DEPT. OF AGRICULTURE
DEPT. OF CONSERVATION
DEPT. OF BANKING AND INSURANCE
DEPT. OF CORPORATIONS AND TAXATION
DEPT. OF EDUCATION
DEPT. OF CIVIL SERVICE AND REGISTRATION
DEPT. OF INDUSTRIAL ACCIDENTS
DEPT. OF LABOR AND INDUSTRIES
DEPT. OF MENTAL DISEASES
DEPT. OF CORRECTION
DEPT. OF PUBLIC WELFARE
DEPT. OF PUBLIC HEALTH
DEPT. OF PUBLIC SAFETY
DEPT. OF PUBLIC. WORKS
DEPT. OF PUBLIC UTILITIES
METROPOLITAN DISTRICT COMMISSION

The Adjutant General and several minor boards placed under the Governor's Office have been omitted from this chart.
The consolidated departments are indicated by squares.

1919

N.Y. Bureau of Municipal Research

1918, took up the subject of administrative consolidation, the result being that an amendment was adopted by the convention and ratified by the people on November 5, 1918. This amendment reads: "On or before January 1, 1921, the executive and administrative work of the Commonwealth shall be organized in not more than twenty departments, in one of which every executive and administrative office, board and commission, except those officers serving directly under the Governor or the Council, shall be placed. Such departments shall be under such supervision and regulation as the General Court may from time to time prescribe by law."

Passage of Administrative Consolidation Act

Following the adoption of the amendment providing for consolidation, the office of the supervisor of administration made a general survey of the agencies of the state. Upon the basis of this and previous surveys a plan of consolidation was proposed and submitted to the 1919 legislature, together with a number of bills designed to carry the plan into operation. This plan proposed no changes in the offices of the elective constitutional officers except the addition of a few functions. Five of the proposed departments were to be headed by constitutional officers, and the remaining administrative agencies of the state were to be grouped under fourteen departments, making a total of nineteen proposed departments. Some of the fourteen departments were to be administered by single heads and others by commissions. In every case these department heads were to be appointed by the governor with the approval of the council and were to serve for longer terms than the two year term of the governor.

Several other proposals for consolidation, besides that of the supervisor of administration, were submitted to the legislature. Upon consideration of these proposed plans as embodied in a number of separate bills before the legislature, it was decided to frame a single bill which would set forth the consolidation plan as a whole. Accordingly, a bill was prepared by the legislative committee on administration and commissions to which had been referred the governor's recommendations and all bills pertaining to administrative reorganization. This bill was introduced into the legislature on June 6, passed with a few minor changes and received the approval of the governor on July 23.[1] Its provisions are to become effective on December 1, 1919.

Organization under Consolidation Plan

The administrative consolidation act of Massachusetts groups the executive and administrative functions of the state, "except such as pertain to the governor and the council, and such as are exercised and performed by officers serving directly under the governor or the governor and council," into the departments of the secretary of the commonwealth, the treasurer and receiver general, the auditor of the commonwealth and the attorney-general, headed by constitutional elective officers, and the following departments created by the act: agriculture, conservation, banking and insurance, corporations and taxation, education, civil service and registration, industrial accidents, labor and industries, mental diseases, correction, public welfare, public health, public safety, public works, public utilities, and a metropolitan district commission. The plan, therefore, establishes twenty departments, excluding the governor's office, —the maximum number permitted under the constitutional amendment.

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[1] Chapter 350, General Laws of 1919.

The general scheme of organization, as will be seen later, is very complicated and involved. Practically all the officials connected with the existing administrative agencies have been retained, their offices being continued in existence and placed under the several departments without alteration either in personnel or duties. Seven boards, which apparently did not fit into the scheme elsewhere are placed under the governor and council. The military and naval functions, the office of supervisor of administration and the newly created superintendent of buildings are also placed under the governor and council. The superintendent of buildings will care for the state house and manage the purchasing of supplies for the departments. All appointments made by the governor must have the approval of the council, an independent elective body of nine members. The administrative officers are appointed in nearly all cases for terms of three or five years, and the members of the administrative and other boards are usually appointed for overlapping terms varying from three to six years. In all cases, except those of the elective constitutional officers, the terms of the principal administrative officers are longer than that of the governor, his term being fixed by the constitution at two years.

Few changes have been made by the consolidation act in the work of departments which will be headed by the four constitutional officers. To the department of the secretary of the commonwealth have been added the functions performed by the commissioner of public records and the bureau of statistics, both of which are abolished. The existing board of retirement and the commissioners on firemen's relief are placed under the department of the treasurer and receiver general where they continue to exist and to perform their present functions. The departments of the auditor of the commonwealth and of the attorney general continue as previously organized.

The department of agriculture will be under the supervision and control of a commissioner assisted by an advisory board of six members, all of whom are appointed by the governor with the approval of the council. The commissioner will serve for a term of three years and the members of the advisory board for overlapping terms of three years, two being appointed each year. The annual salary of the commissioner is not to exceed $5,000 and the members of the advisory board are to receive $10 per diem and traveling expenses. The commissioner must organize the department into at least five divisions: dairying and animal husbandry, plant pest control, ornithology, markets and reclamation, soil survey and fairs, and may add other divisions. He may appoint and remove the director of each division.

The department of conservation will be under the control of a commissioner appointed by the governor with the approval of the council for a term of three years at an annual salary not to exceed $5,000. He will be designated by the governor as director of one of the three divisions into which the department will be divided, namely forestry, fisheries and game, and animal industry. However, provision is made for the retention of the present commissioner of animal industry in the capacity of director of the division of animal industry, his appointment to office to be made hereafter as formerly provided by law. The director of the remaining division will be appointed by the governor with the approval of the council for a term of three years, and should he serve as head of the division of fisheries and game he will receive a salary not to exceed $4,000 per year. The directors will act as an advisory council to the commissioner.

The department of banking and insurance will be organized into three divisions, a division of banks and loan agencies, a division of insurance and a division of savings bank life insurance. Each division will be under the control of a commissioner, the commissioner of banks and the commissioner of insurance to be appointed by the governor with the council's approval for terms of three years at annual salaries not to exceed $5,000 each. The commissioner of savings bank life insurance will be one of the board of trustees of the corporation known as the general insurance guaranty fund, his term of office to be that of his appointment as trustee. Since it is obvious that this department has triple heads, the act provides that the commissioners "shall act as a board in all matters concerning the department as a whole." The three divisions are really independent agencies nominally brought together. The existing boards of bank incorporation and of appeal on fire insurance rates are continued under the division of banks and loan agencies and the division of insurance, respectively.

The department of corporations and taxation will consist of the office of tax commissioner and commissioner of corporations as now organized. The present tax commissioner and commissioner of corporations will become the commissioner of the department at a salary not to exceed $7,500 per year. The department will be organized into an income tax division, a division of corporations, a division of inheritance taxes, a division of local taxation, and a division of accounts. The commissioner will appoint, subject to the approval of the governor and council, a director at the head of each division and also fix the salaries of such directors.

The department of education will be under the control of a commissioner and an advisory board of six members appointed by the governor with the approval of the council. The commissioner's term of office is fixed at five years with an annual salary not to exceed $7,500. The members of the advisory board will serve for overlapping terms of three years, two being appointed each year. At least two members of this board must be women, one of whom shall be a teacher. The department will be organized into such divisions as the commissioner with the approval of the governor and council may determine, but must include a division of public libraries, a division of education of aliens and a division of the blind. The division of public libraries will consist of the board of free public libraries as now organized, the chairman acting as director of the division. The division of education of aliens will consist of a director, who may be a woman, and an advisory board of six members appointed by the governor with the approval of the council, the director for a term of five years and the board members for overlapping terms of three years. The division of the blind will consist of the commission for the blind as now organized, the head of the commission acting as director of the division. Such other divisions as may be organized will have a director in charge appointed by the commissioner with the approval of the advisory board. Hence the department of education will consist of three divisions, administratively independent of each other, and a possible group of divisions with heads appointed by the commissioner. The present boards of trustees of five schools and the teachers' retirement board are continued in existence and are placed in the department.

The department of civil service and registration will be organized in two divisions, a division of civil service and a division of registration. The division of civil service will be under the control of a commissioner and two associate commissioners appointed by the governor with the council's approval for overlapping terms of three years, the commissioner to receive not more than $5,000 annually and the associate commissioners not exceeding $2,000 each. The three constitute a board for the preparation of rules and regulations and the holding of hearings on civil service matters. The division of registration is under the supervision of a director appointed by the governor and council for a term not to exceed two years at an annual salary of $1,500. As a possible means of co-ordinating the work of the department the act provides that the commissioner of civil service and the director of registration "shall act as a board in all matters affecting the department as a whole." Ten state registration boards are continued in existence and are placed under the division of registration.

The department of industrial accidents will consist of the present industrial accident board as now organized with its duties and functions unchanged.

The department of labor and industries will be under a commissioner, an assistant commissioner, who may be a woman, and three associate commissioners, among whom must be a representative each of labor and employers. All are appointed by the governor with the council's approval for terms of three years, the associate commissioners' terms being overlapping. The commissioner will receive $5,000 annually and the assistant and associate commissioners $4,000 each. The associate commissioners will constitute a board of conciliation and arbitration.

The department of mental diseases will consist of the present Massachusetts commission on mental diseases. The commissioner of mental diseases will become the administrative head of the department.

The department of correction will be under the control of a commissioner appointed by the governor with the council's approval for a three year's term at an annual salary not to exceed $6,000. The commissioner with the approval of the governor and council may appoint, remove and fix the salary of two deputy commissioners.

The department of public welfare will be under the supervision of a commissioner and an advisory board of six members, two of whom must be women, all appointed by the governor with the council's approval. The commissioner's term will be five years and the members of the advisory board will be appointed for overlapping terms of three years, two each year. The commissioner will be *ex officio* a member of the advisory board and will receive an annual salary not to exceed $6,000. The department will be organized into three divisions, namely, aid and relief, child guardianship, and juvenile training. Each division will have a director, the directors of aid and relief and of child guardianship being appointed, removed and salaries fixed by the commissioner with the consent of the governor and council. The director of juvenile training will be a member of the board of trustees of Massachusetts training schools, designated by the governor, and will serve without compensation. This officer is, therefore, practically independent of the commissioner. The commissioner will prepare and present for the consideration of the advisory board rules and regulations governing the conduct of his department which will become effective upon approval by a majority of the members of this board. Several existing boards will be continued and placed in this department.

The department of public health will be the present department of health as now organized and the head of the present department will become its commissioner.

The department of public safety will be under the supervision of a commissioner appointed by the governor with the approval of the council for a term of five years at an annual salary not exceeding $5,000. The department will be organized into three divisions,—a division of state police headed by the commissioner, a division of inspection under a director known as chief of inspections, a division of fire prevention under a director known as state fire marshal. The two directors will be appointed by the governor and council for terms of three years at annual salaries not to exceed $4,000.

The department of public works will be under the control of a commissioner and four associate commissioners, all appointed by the governor with the approval of the council. The commissioner will serve for a term of three years, and the associate commissioners for overlapping terms of two years. The department will be divided into a division of highways and a division of waterways and public lands. The governor will designate two of the associate commissioners to have charge of each of these divisions, thus making a dual-headed administration of the divisions. The commissioner will appoint with the approval of the governor and council a registrar of motor vehicles.

The department of public utilities will be under the management of a commission of five members appointed by the governor with the consent of the council for overlapping terms of five years. The governor will designate one of the commissioners chairman, who will receive an annual salary of $9,000. Each of the other commissioners will receive an annual salary of $8,000.

The metropolitan district commission will be composed of a commissioner and four associate commissioners, all appointed by the governor with the approval of the council. The commissioner will serve for a term of five years at an annual salary of $6,000, and the associate commissioners for overlapping terms of four years at $1,000 each per year.

VI—PROPOSED CONSOLIDATION PLANS OF OTHER STATES

Plan Proposed for Oregon

The 1917 legislature of Oregon authorized the appointment of a "commission of seven business men" to study the state administration with a view to recommending consolidation. This commission was appointed by the governor and became known as the consolidation commission. In making the survey it was assisted by three of the largest educational institutions of the state. Later it engaged Professor John M. Matthews of the University of Illinois and Mr. Fred Topkins of Portland to put the report in final shape.

The report of this commission, as submitted to the 1919 legislature, while brief, containing about forty-five pages, makes specific recommendations for a comprehensive plan of administrative consolidation. It points out as the main defects of the present system: The existence of too many elective officers; the division of the administration into too many departments and agencies for adequate control by the governor; and the sharing of the appointive power of the governor with other officials, boards and commissions. It then lays down certain general principles to serve as a guide in the plan of reorganization, namely, that the governor appoint the heads of all administrative departments, that in making appointments the governor be privileged to act in all cases without confirmation by the senate and have unhampered power of removal, and that all minor officers of the departments be chosen under civil service regulations.

The plan of the commission proposes to consolidate all existing administrative offices and agencies into ten departments, and involves both constitutional and statutory changes. These departments are finance, law, tax, education, labor, health, agriculture, trade and commerce, public welfare (institutions), and public works. The two hundred and fifty officials under the present arrangement would be reduced to forty officials by this reorganization. All of the proposed departments are to have single heads appointed by the governor and serving at his pleasure. In the case of the finance department, however, the report is not very clear as to the overhead organization. A chart of the proposed organization indicates that this department is to be under the control of a finance commission composed of the governor, secretary of state and state treasurer, the functions of the secretary of state and state treasurer being included in the department. Recommendations are made for the separation of the functions of auditing from the office of secretary of state and for the creation of a state auditor of public accounts elected either by the legislature or the people; also for the creation of the office of lieutenant governor elected by the people. The departments of education, public health, agriculture, public welfare and public works are to have advisory boards attached to them.

No definite action was taken by the 1919 legislature upon the plan proposed by the consolidation commission.

Plan Proposed for Delaware

During the summer of 1918 the Delaware State Council of Defense engaged the New York Bureau of Municipal Research to make a complete survey of the state administration, as well as of the governments of the three counties of the state and the city of Wilmington. This survey was completed by the end of the year and a report was submitted to the council for its approval and presentation to the legislature.

It was found in making this survey that the administrative branch of the state government includes one hundred and seventeen separate agencies, which are in most cases independent of each other and without any direct and effective over-head supervision. Of these agencies, the heads of six are elected by the voters, eighty-three are appointed by the governor (in most cases with the senate's approval), two are appointed by judges of the superior court of the state, twelve are appointed by boards and administrative officers other than the governor, and fourteen are *ex officio* bodies. Fifty-four of the total number of agencies are headed by boards or commissions. Much duplication of work as well as scattering of functions exists.

The report points out that the present administrative arrangement of Delaware is not adapted to unified financial planning and control, in other words, that the governor cannot prepare effectively a budget for legislative consideration when he has to deal with more than one hundred separate agencies. It further maintains that the board type of administration is not only unbusinesslike, but irresponsible; that boards should never be charged with purely administrative functions, but should perform only quasi-judicial, quasi-legislative or advisory functions. Among the general recommendations of the report are the following: The governor should be the only elective administrative officer; he should have the sole power to appoint and remove all department heads; he should be fully responsible for the preparation of the budget; the office of lieutenant governor should be abolished; the control of the state militia should remain under the governor's office. The report makes specific recommendations for the distribution along functional lines of the work of the existing offices, boards, commissions and other agencies among nine departments, namely, state, finance, labor and industry, health, public welfare, agriculture, highways and drainage, education, and law. Any new functions created in the future are to be assigned to one of these departments. Each department is to have a single head appointed by the governor and serving at his pleasure. In the case of the department of finance, however, the governor is to act as head *ex officio* and appoint the four bureau heads of the department. The subordinate officers of all the other departments are to be appointed by the department heads. In the department of labor and industry the commissioner and his two bureau heads are to sit as an industrial board for the exercise of quasi-judicial powers. The departments of public health, agriculture and public welfare are each to have advisory councils composed of six members appointed by the governor, and the commissioner of the department *ex officio.*

While the 1919 legislature did not take any definite action upon the plan as a whole, it authorized the appointment of a commission of five members to study the proposed reorganization and to report to the next legislature. This commission, known as the state survey commission, has been appointed by the governor and is now at work upon the plan of consolidation.

Plans Proposed for California

During 1918 the Taxpayers' Association of California prepared a plan of consolidation for the state administration. This plan, as published in the *California Taxpayers' Journal* for January, 1919, does not involve the elimination of any function now performed by the state government; does not eliminate any constitutional officer or board (although constitutional amendment is recommended for later consideration); and can be adopted in its entirety by statutory enactment. In grouping the existing administrative agencies under the proposed plan the functional unit has been used as a basis for co-ordination. The administrative functions are grouped under two main heads, namely, protective and constructive. "Protective" is subdivided into administrative, preventive, curative, conservative and defensive; and "constructive" into developmental, reclamatory and educational. These subheads are divided and redivided. It is claimed that the methods used elsewhere in the regrouping of administrative agencies for the purpose of consolidation have largely overlooked functional lines. In this report is printed an elaborate functional analysis of the work of the present administrative agencies alongside which is the proposed reorganizational grouping.

The consolidation plan of the Taxpayers' Association proposes the setting up of twelve administrative departments in addition to the offices of governor, lieutenant governor and secretary of state. These departments are finance, law, sanitation and hygiene, commerce and labor, charities and welfare, corrections, care of defectives, conservation, defense, public works, natural resources, and education. The departments of law, charities and welfare, care of defectives, defense, and public works are to be administered by single heads appointed by the governor and directly responsible to him. The other departments are to be administered by boards, the members of which are appointed by the governor. However, in the departments of finance, natural resources and education certain elective officials are to be members of the administrative boards. In most cases where departments are headed by boards the members will serve as division chiefs.

In November, 1918, Governor Stephens appointed a committee on efficiency and economy, consisting of eleven persons, some of whom were state officers. This committee made a report on administrative consolidation which the governor submitted to the legislature on March 20. Its report sets down certain principles which it deems essential to efficient governmental management: Centralization of responsibility; co-operation of the larger organization units; and co-operation of agencies which perform similar or allied functions. These principles have been carried into the proposed plan by creating a governor's cabinet, composed of departmental executives appointed by him; by insuring co-operation of various departments by bringing their administrative officers together in an executive council; and by placing in departments, under one executive head, those agencies which perform similar or allied functions. The report holds that because of the great diversity in the nature of the state's activities it is impracticable to correlate all administrative agencies into larger administrative units. Therefore, nine elective officers and agencies and thirty other administrative agencies, the latter dealing with registration of trades and professions, regulation of financial corporations, local problems, military affairs, pardons and reprieves, civil service, and minor affairs, are not included in the plan of consolidation. The remaining seventy administrative agencies are grouped under ten departments as follows: Finance, trade and corporations, public works, agriculture, natural resources, labor, education, public health, institutions, and social service. The departments of public works, agriculture, natural resources, labor and institutions are to be under the administrative control of directors appointed by the governor and holding office at his pleasure. The department of finance is to have a director of accounts and expenditures and a director of receipts and supplies, both appointed by and serving at the pleasure of the governor, and a board of finance composed of the two directors and the state comptroller. The president of the railroad commission is to be the director of the department of trade and corporations. The department of education is to be under the control of a board, consisting of five lay-members, and the superintendent of public instruction as chief executive officer. The department of public health is to be under the control of a board of five licensed and practicing physicians, appointed by the governor for overlapping terms of four years. The department of social service is to be administered by an unpaid board of seven members appointed by the governor for overlapping terms of four years. The governor's cabinet is to be composed of the directors of seven departments and the chairmen of the administrative boards of three departments.

Upon submitting this report to the legislature, Governor Stephens declined to give it his full endorsement, consequently no action was taken upon it by the legislature.

On March 27, a bill was introduced in the legislature embodying the consolidation plan proposed by the Taxpayers' Association. Since the end of the legislative session was near, the bill failed to receive any very serious consideration. It is understood that the association will continue to emphasize the need for administrative consolidation and will make an early attempt to bring their plan before the voters by means of the initiative process.

Plan Proposed for New York

Soon after his inauguration in January, 1919, Governor Smith appointed a reconstruction commission, consisting of thirty-five members, which was organized into a number of committees, each charged with the investigation of an urgent need or immediate problem in connection with the administration of the state's affairs. The committee on retrenchment of this commission, with the assistance of a staff, conducted a study of the organization of the entire state administration and recently published a four hundred page "Report on Retrenchment and Reorganization in the State Government."

This report maintains that administrative consolidation is one of the most effective means of retrenchment. It, therefore, outlines a comprehensive plan of administrative reorganization for the state of New York. Briefly, the principles upon which the report bases the plan of consolidation are as follows: Grouping of all administrative agencies into a small number of departments, each headed by a single officer except where quasi-legislative, quasi-judicial, inspectional or advisory functions require a board; giving the governor the power to choose with the senate's approval the department heads who are to constitute his cabinet; extending the governor's term to four years and making the terms of department heads coterminous with his; making appropriate subdivisions of departmental work; and establishing an executive budget system.

The report proposes to consolidate the one hundred and eighty or more administrative agencies of the state into sixteen groups, composed of eighteen departments and two public service commissions. The departments are executive, audit and control, taxation and finance, attorney general, state, public works, conservation, agriculture and markets, labor, education, health, mental hygiene, charities, correction, banking, insurance, military and naval affairs, and civil service. The plan involves constitutional changes; only the governor, lieutenant governor, and comptroller will remain elective. The comptroller is to head the department of audit and control and his department will exercise only strictly auditing functions. Under the executive department is to be a bureau of administration charged mainly with the preparation of the budget and the conducting of special investigations for the governor. The departments of taxation and finance, attorney general, state, public works, conservation, banking, insurance, and health are to be under the control of single heads appointed by the governor with the approval of the senate. Attached to the department of health is to be an advisory council of six members, appointed by the governor for overlapping terms of six years, and the department head *ex officio*. The department of military and naval affairs is to be headed by the governor, who will appoint as his deputy an adjutant general. A commission of five and ultimately of three members, appointed by the governor with the senate's approval for terms of five years, is to head the department of labor. The department of agriculture and markets is to be under the control of a council composed of one representative from each of the nine judicial districts of the state, one representative at large, and the commissioner of markets of New York City *ex officio;* the ten members to be elected by the legislature for terms of ten years. This council will select a commissioner to be administrative head of the department. The department of education is to be under the control of the board of regents of the University of the State of New York, composed of twelve members, one from each judicial district and three at large, appointed by the legislature for overlapping terms of twelve years. The regents will appoint a commissioner as executive head of the department. The department of mental hygiene is to be under the direction of a commission of three members appointed by the governor, two for terms of six years and the other to serve during good behavior. The department of charities is to be under the control of a board of twelve members, one from each judicial district and three additional from New York City, appointed by the governor for overlapping terms of six years, two being appointed each year. The department of correction is to be headed by a single commissioner appointed by the governor with the senate's approval. Attached to this department is to be an advisory council of five members appointed by the governor for overlapping terms of five years, and a board of parole and probation of three members in turn appointed by the advisory council and serving at its pleasure. The three departments of mental hygiene, charities and correction are to be co-ordinated in their work by a council of public welfare composed of the chairmen of the controlling boards of two of the departments and the head of the other department, also the commissioners of health and education. The department of civil service is to directed by the chairman of a board of three appointive members. There are to be two public service commissions, one for New York City and one for the remainder of the state, each composed of a single commissioner appointed by the governor with the consent of the senate.

Recommendations are made in the report for the establishment of an executive budget system, for centralized purchasing of supplies, for better control of state printing, and for the standardization and grading of the personal service of the state. This report will be used by Governor Smith as a basis for executive recommendations to the 1920 legislature.

VII—CONCLUSIONS

It may be of interest by way of conclusion to attempt a brief summary of certain general principles with reference to administrative reorganization which seem to be pretty well established by the consolidation plans now in operation in Illinois, Idaho and Nebraska, and also to point out the deviations from these principles as embodied in the Massachusetts plan soon to go into operation.

In the first place, the consolidation plans have grouped the existing administrative agencies mainly upon a functional basis. Work of a related or allied nature has been brought together, so that on the whole the general lines of classification seem to be pretty well agreed upon. There are, however, such functions as the registration of trades and professions which are as yet not definitely assigned to any particular group. For example, Illinois groups registration with functions which are primarily educational; Idaho places registration in the department of law enforcement; and Massachusetts proposes to associate registration with civil service.

In the second place, the number of administrative departments have been reduced to the minimum consistent with the general lines of functional grouping. Illinois and Idaho have nine departments each, and Nebraska six, not including the constitutional administrative agencies; and Massachusetts has twenty departments, excluding the governor and council. Probably there would have been a smaller number of departments in Massachusetts if it had not been for the reaction of certain institutional and political forces. If the constitutional agencies of Illinois, Idaho and Nebraska were included with the code departments, the number of departments in each case could probably be made less than fifteen. It seems desirable, if the governor is to bring his department heads together as a cabinet for the consideration of administrative and financial affairs, to have not more than twelve or fifteen departments.

In the third place, one person is made fully responsible for the administrative work of each department. This is the established rule under the consolidation plans of Illinois, Idaho and Nebraska. All the departments created under the administrative codes of these states are administered by single heads appointed by the governor with the approval of the senate. The Massachusetts plan, however, is very inconsistent on this point. For the administration of some departments it proposes single heads, either elective or appointive by the governor and council, and for the administration of other departments it sets up boards appointed by the governor and council. Two departments—department of banking and insurance, and department of civil service and registration—are headless, however, each is nominally unified by a provision requiring the independent division heads to "act as a board in all matters concerning the department as a whole."

To each department having in connection with its work duties of a quasi-legislative or quasi-judicial character, the Illinois code provides that a board be attached for the performance of such duties. These boards are attached to such departments as labor, mines and minerals, and trade and commerce. While these boards act as independent entities in the performance of their duties, they are, nevertheless, component parts of the departments to which they each belong. The Massachusetts plan uses the board organization of the overhead administration to perform any quasi-legislative or quasi-judicial duties which may devolve upon the departments, practically all the departments performing such duties being administered by boards.

The need for advisory or non-executive boards is recognized by the codes of Illinois and Idaho and by the consolidation act of Massachusetts. The members of such boards are required to have experience in the work of the departments to which they are attached and are usually appointed in the same manner as the department heads. These boards are associated with such departments as agriculture, public works, public welfare, health and education.

In the fourth place, the department heads and other administrative officers are not given a longer tenure of office than that of the governor. The codes of Illinois and Nebraska fix the terms of such officers for the same period as the term of the governor. The Idaho code does not fix definite terms of office, but the administrative officers serve at the pleasure of the governor, it being understood, of course, that, unless reappointed, they resign their offices soon after the expiration of the governor's term of office. The Massachusetts plan, however, provides that practically all administrative officers shall serve for terms of three or five years, and the members of all administrative boards shall be appointed for overlapping terms of from three to six years. Since the constitution fixes the governor's term of office at two years, he will never be able to control his administration by appointment, even if he is not blocked by action of the council, except he hold office for at least two successive terms, and perhaps then he will not have gained control until it is too late for him to accomplish anything. It seems quite necessary that the chief administrative officers should not hold office longer than the governor if he is to be held fully responsible for the administration, and in this event the governor's term of office should be four years.

In the fifth place, provisions are made for the establishment of an executive budget system. The codes of Illinois, Idaho and Nebraska provide that the department of finance shall supervise the gathering of estimates and other budget data and that the head of this department shall have the power to approve, disapprove or alter the estimates in the process of making up a tentative budget for submission to the governor to be used as a basis for the governor's budget recommendations to the legislature. After the expenditure of appropriations has been authorized by the legislature, the governor has the power through the general control vested in his department of finance and by reason of the greater authority which he exercises over the administration because of consolidation to enforce the proper execution of the expenditures. In Massachusetts the office of supervisor of administration under the governor and council receives the estimates, reviews them and makes the necessary investigations for the preparation of the budget. The governor, after the appropriations have been authorized by the legislature, can exercise practically no control over their expenditure under the plan of administrative organization set up by the Massachusetts consolidation act.

Finally, it may be pointed out that the work of consolidation thus far accomplished in Illinois, Idaho and Nebraska, as well as the plan enacted for Massachusetts, has certain limitations. The codes of Illinois, Idaho and Nebraska are only statutory documents, and consequently do not include the administrative agencies set up by the constitutions of these states. While the constitutional officers of Massachusetts are included in the plan of consolidation, their offices are each constituted a separate department, their functions remain the same and the manner of their choice to office has not been changed, only a few new duties have been added in some instances. The principle of executive responsibility has not, therefore, been fully established. Complete consolidation plans cannot be worked out in these states without constitutional revision. Illinois and Nebraska are soon to hold constitutional conventions, and it is probable that the necessary changes may be made in the constitutions of these states to complete their plans of administrative consolidation.

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Reprinted as a Pamphlet from the
NATIONAL MUNICIPAL REVIEW of September, 1919

The Assessment of Real Estate

By LAWSON PURDY

President, National Municipal League; General Director, Charity Organization Society of New York; for eleven years President, Dep't of Taxes and Assessments, City of New York.

¶ Describes the type of organization and principles of administration best adapted to the task of assessing real estate in American municipalities—the mature conclusions of a notable tax administrator.

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NATIONAL MUNICIPAL LEAGUE
NORTH AMERICAN BUILDING
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NATIONAL MUNICIPAL REVIEW

VOL. VIII, No. 10 DECEMBER, 1919 TOTAL No. 42

VIEWS AND REVIEWS

I

THERE are now nineteen societies and committees enlisted with us for our Moot State Constitutional Convention at Cleveland, December 29–31. Some of the organizations are split already over the texts of their proposed drafts and so cannot submit them for advance printing in this issue. In such cases, we ask—Is this a private fight? or can *any*body get in?—and encourage the submission of majority and minority reports so as to carry the battle to the floor. Even a committee of one has appealed for permission to submit alternative proposals, because he finds difficulty in making up his mind! The radical proposals of the Short Ballot Organization alone furnish enough that is provocative of debate to fill two days. There will be scores of red-hot scrimmages, the police reserves will be stationed in the lobby and—or such is the private prayer of the program committee—blood, real red blood, will be spilt upon the velvet carpets of the Statler!

II

THE November elections were unusually interesting for an off year. Governor Coolidge's avalanche in Massachusetts against an opponent who pussy-footed and winked to labor was refreshing and indicated again that the labor element is not as class conscious in politics as the radicals like to imagine. A Brooklyn county candidate and a governor of New Jersey gained visibly by denouncing prohibition and are probably the forerunners of a large and curious crop of "wet" candidates next year, for the frequent appeal to discontent in politics succeeds less from hope of remedy than from the sense of sympathy which is the base of all influence. Ashtabula and Kalamazoo again moved smoothly through proportional representation elections, that in Kalamazoo being especially interesting. Illinois and Nebraska elected constitutional conventions without much emotion. Illinois in its advisory vote supported the initiative and referendum. Philadelphia elected an honest man as mayor under the new simplified charter. New York, thanks largely to the fact that Mr. Hearst was anti-Tammany this year, put two Republicans with five votes out of sixteen into the board of estimate to fill casual vacancies. Dayton, without a serious struggle, continued its good administration undisturbed for another two years, making a total of eight years. On the whole it was a good day for reformers.

III

HERE
LIES
RECONSTRUCTION

'Twas a short life and a wobbly one!

Reconstruction never did mean anything. The definition which our Rochester resolutions gave of it was as good as any, and the only one that restricted itself to special post-war conditions, but it remained merely our own. All sorts of projects were launched in the name of reconstruction. The most promising were the two bureau of municipal research schemes for state administrative consolidation in Delaware and New York, and while both were worked under the name of reconstruction, they have nothing to do with it except by a stretching of the word far out of its meaning. The fact is we suffered so little destruction that there was nothing much to be reconstructed.

We know that reconstruction is dead, anyway. For the League for Longer Hotel Bed-sheets two years ago wrote us—we being in both the blue book and the directory of directors—saying, in effect, that longer sheets would win the war. Last year it asked us "if our boys coming back after having bled and died 'over there' will be content hereafter to risk their health with the evils of short sheets? Longer sheets are a vital factor in reconstruction!" And now the annual appeal comes again and reconstruction is not mentioned. Requiescat!

What's the word now? Oh you know. Don't look so innocent! You're working it yourself—"longer bed sheets, bringing better comfort and sleep to those who toil, constitute the best antidote to the insidious poison of bolshevism which unless checked—"

IV

The house of representatives passed the Good budget bill with only three dissenting votes. How absurd we all were to have fought all over the map for years ever since Taft's time when there must have been an easy majority ready to support the principle for the last several years! Or is Congress perhaps no better than legislatures and councils that hide behind committees and floor strategists and avoid a show-down, getting the pork up to the last moment until the walls tremble with the clamor from outside—and then at last the record vote that cannot longer be staved off, a string of speeches (undelivered) with "applause" and "laughter" written in by the authors, to decorate the congressional record and to mail to constituents, an overwhelming vote—where is all that stubborn opposition anyway! Are we to believe that those three members could have held us up so long!

So it was with the parcel post and various other progressive proposals that waited years, even generations, for a fatal clean-cut record vote!

All honor to those three lone budget opponents! Would that we had more honest Tories! We don't mind representatives who flatly disagree with us, and tell us so, half as much as that slippery type who appear to want just what we want, but never seem to get it for us.

TWENTY-FIFTH ANNUAL MEETING

OF THE NATIONAL MUNICIPAL LEAGUE

To be Held at the Hotel Statler, Cleveland, Ohio,
December 29, 30 and 31

PROGRAM

Monday December 29—10 A. M. AND 2 P. M.
MOOT CONSTITUTIONAL CONVENTION

Presentation and explanation of all proposed provisions. Questions and five-minute speeches from the floor. No voting except such trial votes by show of hands as authors of amendments may request for their own guidance. Matters on which no opposition appears may be declared by the chairman, after warning, to be adopted, and will be omitted from the calendar on Wednesday.

1. Bill of Rights
   Committee of One, Albert Bushnell Hart
2. Governor and Legislature; single house; state manager
   By the National Short Ballot Organization
3. Proportional Representation
   By Proportional Representation League
4. Budget
   By Govermental Research Conference
5. Judiciary
   By American Judicature Society
6. Civil Service
   By National Civil Service Reform League
7. Municipal Government
   By our Committee on Municipal Program
8. County Government
   By our Committee on County Government
9. Initiative and Referendum
   By National Popular Government League
10. Taxation
    By our Committee on Taxation
11. Debt Limitations
    Committee of One, A. N. Holcombe
12. Legislative Procedure
    Committee of One, H. W. Dodds
13. Limitations on Legislation
    Committee of One, Charles A. Beard
14. Elections and Suffrage
    By Honest Ballot Association
15. Labor
    Committee of One, Joseph P. Chamberlain
16. City Planning and Excess Condemnation
    Committee of One, Frank B. Williams
17. Amendments
    Committee of One, Herman G. James

Topics not yet assigned: Education, Public Utilities.

7 P. M. SUPPER AND SMOKER
Election of New Council

Tuesday December 30—10 A. M. THE FATE OF THE FIVE-CENT FARE

Report of the Committee on Public Utilities, Delos F. Wilcox, Chairman

One-man cars, zone fares, standards of valuation, extensions by assessment on property benefited, use of public credit, discussed by Peter Witt, Alfred Bettman, Walter Jackson, Carl H. Mote

1 P. M. LUNCHEON
The Secretary's Annual Review

3 P. M. With Political Science Association and Governmental Research Conference

7 P. M. UNIONIZATION OF MUNICIPAL EMPLOYEES

Luther C. Steward, President National Federation of Federal Employees, A. F. of L. and other speakers

THE NATIONAL BUDGET BILL

Hon. James W. Good, Chairman Appropriations Committee, House of Representatives and representatives of National Voters League, National Budget Committee and Institute of Government Research

Wednesday December 31—10 A. M. AND 2 P. M. CONSTITUTIONAL CONVENTION

Presentation of Constitutional Provisions for adoption under parliamentary law.

8 P. M. LANTERN LECTURE

War Memorial Buildings. H. G. Otis, Bureau of Memorial Buildings, War Camp Community Service

THE OLD ORDER CHANGETH

Chicago voted on November 4 to make its ballot non-partisan in municipal elections.

* * *

New city-manager cities:

Muskegon, Michigan, 36,500.
Sallisaw, Oklahoma, 2,500.
Walters, Oklahoma, 1,600.
Lynchburg, Virginia, 20,000.
Newport News, Virginia, 20,000.
Pittsburg, California, 7,000.
Tallahassee, Florida, 6,500.
Sanford, Florida, 7,000.
West Palm Beach, Florida, 10,000.

* * *

The total number of charter city-manager cities of over 10,000 population is now 49; of smaller places, 57.

Towns and cities having city-manager plan in modified form or by ordinance, 59.

Total, 165.

* * *

Plan B of the optional charter law, a simple mayor-and-small-council plan is spreading in Massachusetts.

Gloucester, Newburyport and Everett adopted it last month.

It failed in Lowell and Northampton.

Westfield and other places are considering it.

* * *

An official commission in Ohio is at work on 'state administrative consolidation,' and the taxpayers' association of New Mexico has created a strong committee on the same subject for that state. Governor Smith of New York will give the administrative consolidation plan of his reconstruction commission vigorous backing when the legislature assembles in January.

* * *

A committee representing twenty-five civic organizations in Cleveland, after two years of study, has recommended the adoption of our model charter—city-manager and proportional representation.

* * *

Lima, Ohio, has elected a charter commission pledged to the city-manager plan.

LOCAL GOVERNMENT BOARDS IN CANADA

BY J. N. BAYNE

Member, Local Government Board of Saskatchewan

For twenty years American political scientists have seen hope in the principle of flexible state administrative supervision over municipal finance as a substitute for legislative interference and modern limitation, in line with the famous British local government board. In the last six years such boards have developed widely in Canada. ::

I

For many years Great Britain's Local Government Board has controlled the creating of debenture issues by municipal institutions. In Canada municipal administration comes under the jurisdiction of its nine provinces. Hence any local government board which may be brought into existence will have its powers delegated to it by a provincial legislature.

Until a few years ago each municipality in Canada decided for itself, usually by a vote of its electors, or by special statute, whether or not a permanent loan for capital expenditure should be made. Central authority over borrowings of the kind was seldom exercised. In the province of Ontario, however, the railway and municipal board has for some time held a right to exercise a limited supervision over the creating of a permanent debt on the part of a municipal institution. In December, 1913, the Province of Saskatchewan, at a session of the legislature which closed that month, made provision for the establishment of a local government board. The Province of Alberta in less than two years afterwards organized a public utilities commission which is much the same as Saskatchewan's local government board in so far as its relationship to local authorities is concerned. The provinces of Quebec and British Columbia soon after assumed, to a degree, like control of municipal borrowings.

As already intimated, where a local government board, or a body vested with similar powers, has been brought into being, it is not under federal control. Where such scrutinizing bodies exist throughout Canada there are points of dissimilarity.

This provincial central supervision is approved generally by the people of the various provinces in which these bodies exist as a safeguard against local aspirations and ambitions which sometimes have led too near to the danger point.

II

The remarks which follow refer particularly to the local government board of the Province of Saskatchewan as it is, naturally, the one with which the writer is most familiar. It is, so far, the only body of its kind in Canada using the title "local government board." Its functions are thus more easily understood by those already familiar with the term. It came into existence at the beginning of 1914. It consists of three members selected by the lieutenant-governor in council, and the removal from office of any member thereof is by decision of the legislature. The board is a commission, non-partisan and non-political. Each of its members holds office for ten years. The demand for an organization of the kind came largely from the Union of Saskatchewan Municipalities, which is an association consisting of representatives of cities, towns and villages of the province. A few urban municipalities, during a period of unusual activity in real estate, had borrowed somewhat excessively notwithstanding the fact that the proposals for such heavy loans were in nearly every case zealously and almost unanimously supported by the council and the electors of the community concerned, they seeing in too rosy a light the future of their respective municipalities. In no case, however, was repudiation of the debt contemplated. No instance of the kind is in the history of Saskatchewan's municipalities. The local power to undertake financial burdens was sometimes used too freely. Hence the desirability of a central body who would investigate and control, in the light of experience gained by other municipalities of the province, any proposal to borrow money by debenture. The additional examination by the board of the reasonableness and feasibility of undertaking a debenture issue gives to the prospective investor an increased feeling of confidence in the issue, for he knows that if approved it will not be the result of a hastily constructed program nor of hopes based on a flimsy foundation. It might here be stated that the law provides that "there shall be associated with the board for advisory purposes a committee consisting of two members to be appointed annually, one by the executive of the provincial organization representing rural municipalities and the other by the executive of the provincial organization representing urban municipalities. The duties of the committee shall be to confer with the board from time to time concerning matters of general interest in relation to the carrying out of the local government board act."

As already stated, the local government board of Saskatchewan approves or rejects all proposals to borrow money by debenture on the part of the 7 cities, 75 towns, 320 villages, 300 rural municipalities, over 4,200 school districts and a large number of rural telephone companies in the province. It will likewise perform similar duties in respect of "hospital districts" which recently came into existence, but none of these have, so far, attempted the issue of debentures. It is conceded that the board, with knowledge secured in dealing with nearly all local authorities, should be in a better position to take a wider view of the municipal and financial situation than any single local authority.

One result of the board's existence is a higher price paid for municipal securities. The intending purchaser, in more than one instance, has asked for a special audit of the books and records of the local authority about to issue debentures, but on learning of the existence of the local government board and its functions, has deemed the examination of the latter sufficient and has purchased the debentures with an added feeling of confidence. It is true that sometimes, when a municipality's elaborate program is curtailed by the local government board, a feeling of disappointment results, but the passing of time shows the wisdom of learning to walk before attempting to run. In its five years of existence any reductions decided upon by the board have proved to be in the interests of the citizens directly affected. In the case of one large urban municipality in the province, whose program included what the board deemed to be non-essential and inadvisable, particularly at a time when labor and material are possibly at the maximum of cost, some of its officials expressed themselves as believing that the local government board should have control only over rural or junior municipal institutions. This sentiment is, however, not common, nor is there real justification for its existence. It is a fact that the too optimistic outlook of urban or senior municipalities was a cause for the existence of the local government board, for had our province consisted only of rural municipalities and villages, it is not likely that it would have been established. To those who have seen the urban center develop rapidly, it is apparent that a cooling or deterring influence is often desirable.

III

Among other duties assigned to it, the local government board hears and adjudicates upon appeals from the local courts of revision in respect of assessment valuations. Its services in this regard were called upon oftener while values were falling, but as they have now reached a more settled level, the local government board had not many appeals of the kind to hear during the current year.

Saskatchewan's law guards carefully the sinking fund of any local authority or municipality. Villages, rural municipalities, rural telephone companies, rural school districts and hospital districts are not empowered to borrow under the sinking fund plan. In respect of cities and towns the provincial statutes state:

> No part of the moneys at the credit of the sinking fund account shall be invested in any securities, whether by the council itself or by sinking fund trustees, without the previous approval of the local government board to such investment.

The serious duty of keeping the sinking fund intact and free from danger of any kind is rigidly observed by the local government board. Any proposed investment thereof receives particular vigilance.

Another duty of the local government board is the administration of the Sale of Shares Act. Before any company can offer for sale its shares, stock or bonds, in Saskatchewan, it must first secure authority for such action from the local government board which makes a close investigation into the strength and standing of the company. In those cases where it is found that the shares will not probably yield a reasonable return to their purchaser, approval of the sale of such shares is withheld. The wild schemes so often rampant where, for instance, mines, imaginary or otherwise, are exploited, need a firm restricting hand. The average person, when approached by a stock salesman, has neither time nor opportunity to examine fully the financial status of the company concerned. Hence the investigation of the standing of the company by the local government board is conceded to be a genuine protection for the public.

THE FATE OF THE FIVE-CENT FARE

VIII. DETROIT—A TALE OF DISTRUST

BY EDWARD T. FITZGERALD

Every city's situation is difficult, and every city's situation is different but as these stories are told, the cases of 'procrastinate and let the corporation squeal and the service deteriorate' are beginning to have a familiar sound. :: :: :: :: :: :: :: :: :: ::

"DETROIT is still hanging by its gills," in a transportation way. It has a population of approximately one million, with a street railway system grievously inadequate for a city of that size. It has been engaged in a warfare with the company for more than a score of years, yet to-day the city possesses no efficacious means of compelling the service or the building of extensions which its rapid growth requires.

Recently the city was without street car service for five days, when the company's employes struck for increased wages which the company claimed could not be granted with the increase of fare which had been allowed by the city. The city's offer was the abolition of eight for a quarter workingmen's tickets on all lines and the suspension of the eight for a quarter tickets on about sixty-five miles of the system, leaving a straight five-cent fare during twenty-four hours of the day. The company held out for additional revenue to be supplied through the charge of a penny for a transfer.

The strike was finally settled when the men were given their increase and the company ordered to resume operation of its cars by Judge Marschner, of the circuit court, the city agreeing to arbitrate the question of a charge for transfer with a board of three members.

The Detroit United railway, which operates the local system and a suburban system as well, has a total trackage of approximately nine hundred miles, of which one-third comprises the city system. On the greater part of the city system its franchises have expired, and it is operating on what might be called a franchise of "public necessity," which, while sufficient to keep the wheels turning, does not permit of extensive borrowing of capital to develop the lines in accordance with the city's needs.

Some idea of the situation in which the city finds itself may be obtained from the statement of President Frank W. Brooks of the railway company, made during a conference with the city authorities some months ago, when he announced that approximately $12,000,000 would be required to put the local system into the shape that it should be. For this condition a part of the public blames the Detroit United railway. The company and its supporters place the responsibility for the warfare that has existed for nearly twenty-five years on public officials and the press. The company charges that it has been harassed and hampered so that it has been impossible to borrow the necessary capital to provide an adequate transportation system, and that it has been the "football of politics."

While it is true that the street railway company has been the issue in numerous political campaigns for a score of years, and that the public generally has been hostile, the weight of evidence is against the Detroit United railway.

Its history in Detroit has been marked by a lack of tactfulness and courtesy which has built up such an antagonism that the public has grown to believe that anything the company seeks in the way of innovations, such as the skip-stop, etc., is a bad thing for the city.

Moreover, the Detroit United railway has pursued a policy that has not been conducive to popularity. It has said "no" to suggestions that would have been of mutual benefit to company and city. Its officers have been inaccessible to public officials and newspapers during the controversies which have so frequently arisen. The result has been a distrust of the company's motives.

As proof of the fact that Detroit is not a corporation-baiting city, the case of the Detroit Edison company is frequently cited. The Edison company has the confidence of the entire city. Its policy has been to accommodate rather than to antagonize. When it makes a request for increased revenue, it is always sure of getting it, for the reason that its administration has been straightforward, its service excellent, and, under the splendid management of Alex Dow, the public has learned by experience that the company is a public service corporation in the true sense of the word.

So much for the reputation which the Detroit United railway possesses, and the lack of transportation facilities.

A better understanding of the local situation can be obtained by considering the various attempts to settle the street railway "problem," as it has been termed, during the years of battling between the traction company and the municipality.

Since 1906 four street railway settlement plans have been submitted to the voters of this city. Two of these were franchise propositions, and the others, purchase plans. In addition, franchises for the construction of eleven extensions in various parts of the city, were submitted at another time. An affirmative vote of 60 per cent of the electors balloting, would have been necessary to adopt any of these plans. Yet not one of them received even 50 per cent of the city's vote.

The franchise propositions were beaten overwhelmingly, and though the city in 1913 voted better than four-to-one for municipal ownership of the street railway system, on the two occasions when municipal ownership purchase plans were submitted to the voters, the plans received only 47.6 per cent of the votes cast.

In justice to the so-called settlement plans and the men who sponsored them it must be said that all had merit, and had any one of them been adopted, the city would be in a better shape to-day than it is.

Likewise all of them had defects. They were give and take propositions. The opposition to all of them was, in the main, political. The Democrats opposed plans put forward by the Republicans. The Republicans were out with an axe for the Democratic inventions. All of the plans were misrepresented by their opponents, and the voter, confused in the haze of statements and mis-statements, decided to play safe and vote "no," with the result that conditions became steadily worse.

The most recent settlement plan was submitted to the voters by Mayor Couzens and the board of street railway commissioners, in April of this year. It provided for the purchase by the city of the local system for $31,500,000. It was not a perfect plan, and its sponsors did not claim that it was. In fact, it can hardly be expected that any plan which grants everything to one side will ever be agreed to by both. Thousands of dollars were spent to defeat it by anonymous sources. It met the same fate as its predecessors, permitting Detroit to continue "hanging by its gills."

Strong proponents of municipal ownership insist that a municipal ownership condemnation plan would have received adoption by the voters, but in the opinion of the mayor and the board of street railway commissioners, this plan would have cost the city more than an out-and-out purchase agreement price. Many other persons ascribe the defeat of the recent purchase plan to a falling-off in sentiment as regards public ownership caused largely by the government operation of the wire and rail properties.

Following the defeat of the purchase plan in April, no further discussion was given to an adjustment of the traction difficulties until the strike precipitated a crisis. In accordance with the court's order, an arbitration board of three members was appointed to determine whether the company is entitled to additional revenue. This board has not yet reported its findings.

Simultaneously with the appointment of the street railway arbitration board, the board of street railway commissioners was directed to make recommendations for a rapid transit system to the common council. After several weeks of effort during which the board had at its disposal the services of street railway engineers, the commissioners presented a report recommending the construction by the city of a system of subways for the downtown district through which the surface cars were to be run. The plan was similar to that proposed for Cleveland and the tubes were to be so constructed that they could later be used for regular subway train service when such an extension of the service was deemed advisable.

The report of the street railway board further recommended that the city enter into an arrangement with the Detroit United railway for operation of its cars under what the board termed the "rides-at-cost" plan. The plan suggested is similar to the Tayler service at cost arrangement, now in operation in Cleveland and elsewhere in modified forms.

Although the street railway commission was appointed by Mayor Couzens, the latter entered a vigorous protest against the commission's recommendations with the result that the commission resigned. Five out of nine members of the common council stood by the commission's report and by resolution directed that the railway board confer with the Detroit United railway officials with the idea of agreeing on a rides-at-cost plan, which it was hoped, might be submitted to the voters for ratification at the April election. The mayor, however, blocked negotiations with the company by vetoing the council's action and inasmuch as six votes were required to over-ride the executive veto, the proponents of the rides-at-cost plan were defeated.

The mayor defends his position by insisting that the charter instructs the administration to proceed with steps toward municipal ownership of the street railway property. He proposes instead of the rides-at-cost plan, that the voters be asked to authorize the issuance of bonds to the amount of $15,000,000, at the election next April, out of which new extensions will be built by the city. At the same election he suggests that a referendum be taken as to whether or not the people wish their officials to negotiate with the street railway company on the basis of the Tayler or rides-at-cost plan.

Three out of four of the Detroit newspapers are supporting the rides-at-cost plan, while the fourth is standing behind the mayor. Apart from the fact that a three-fifths majority is required to carry any plan that may be submitted, the chances for a speedy settlement of Detroit's transportation troubles are rather slim because of the inability of the city officials to agree on any one plan.

It is more than a score of years ago since efforts were first made to cure Detroit of its traction ills. The patient is not improved. In fact he is much worse. And whilst city officials are wrangling today over the remedy, the Detroit United railway continues to crowd passengers into cars in such a manner that were the passengers cattle, the humane society would probably interfere.

SANDUSKY AND THE MANAGER PLAN

BY AUGUSTUS R. HATTON

Dr. Hatton has recently visited seven typical cities having the city-manager plan of municipal government and we expect to carry the story of his findings in the "Review" from now on. Sandusky is important because it is one of the towns from which accounts were persistently disturbing and conflicting. :: :: :: :: :: :: ::

SANDUSKY, Ohio, began to operate under the manager plan in January, 1916. Shortly thereafter rumors began to be heard of trouble between the city-manager and the commission, of disagreements between the commissioners, and of the highly sensational newspaper exploits of one commissioner in particular. It was evident, even to those who observed from a distance, that the governmental boat of Sandusky was being rocked rather violently. With intermissions of comparative calm, this condition prevailed for nearly two years, after which nothing was heard of trouble in Sandusky. Since April, 1918, the government has proceeded on an even keel, the machinery has been working smoothly and appears to have been handled intelligently. The story of Sandusky may now be told with a reasonable assurance that it will not have to be supplemented the next morning by a new chapter recording some striking change.

A SLOW START

Under the Ohio constitution municipal elections for the choice of officers can be held only in the odd numbered years. For that reason new city charters under the home rule provision of the constitution provide for the election of officers in November of such years and that the charter shall go into operation on the first of January following. Thus Dayton and Springfield began to operate under the manager plan in January of 1914. Sandusky came under the plan, along with Ashtabula and Westerville, in January, 1916. In the process of framing and adopting a charter there can be no complaint in Sandusky on the score of lack of deliberation. The commission to frame a charter was chosen on July 30, 1913. The new charter was submitted to the voters on July 28, 1914, only two days short of the extreme limit allowed by the constitution for that purpose. After the adoption of the charter in July of 1914 an election could not be held under it until fifteen months later and it was seventeen months after its adoption before the charter went into operation. During all that time a government which knew that a sentence of extinction had been pronounced against it, continued in control of city affairs while certain politicians and other irreconcilable opponents of the new charter had time to recover from the blow that had been given them at the polls and to make it as difficult as possible for the new government to go into operation smoothly.

The Sandusky charter provides, except with a few variations, for what has come to be regarded as practically the standard-manager plan. There is a commission of five members chosen from the city at large for four-year terms and on a non-partisan ballot. After the first election, provision was made that the commission should be partially renewed every second year. Nomination for the commission is by petition of 5 per cent of the voters, and from the list thus made up the candidates, equal to the number of places to be filled, who receive the highest number of votes, are declared elected. The recall is provided in a somewhat awkward but not unworkable form. There is also provision for the initiative and referendum. The commission chooses one of its members as president and appoints a city clerk, a city solicitor and a city treasurer who is head of the department of finance and audits. The city manager, chosen by the commission and holding office at its pleasure, makes all other appointments in the executive service of the city.

TROUBLE BEGINS

While there are details in the Sandusky charter which could be changed to advantage, it must be admitted that there is nothing in the document itself which directly accounts for the trouble which later developed. In fact, the first commission elected under the charter was a promising one. With one exception it was composed of men of ability and public spirit who might reasonably have been expected to give the new plan of government a fair and favorable trial. The one exception was a newspaper man who, shortly after he took a place on the commission, started a weekly sheet of his own. This sheet, while ostensibly solicitous of the public interest, was used chiefly to discredit the manager plan and certain persons in Sandusky and as a means of exploiting the over-developed ego of its editor. Even with such a trouble maker on the commission, the difficulties which followed would not have occurred but for an entirely unpredictable situation which arose between two other members. These commissioners were the two from whom, perhaps, the people of Sandusky had a right to expect most. Individually they were among the ablest and most respected business men of the city. Placed together on the commission they proved to be so temperamentally incompatible that it was next to impossible for them to work with each other. The quarrels, bickerings and disagreements of these two were seized upon with gusto by the editor-commissioner and were used in an attempt either to discredit the manager plan or to control it.

Any man serving as city manager in Sandusky during the initial period of the experiment must have possessed unusual qualities of training, character and leadership to have weathered the storm and emerged unscathed. The first manager appointed was an out-of-town man with good training as an engineer, high ideals of public service, and considerable vision as to what a city could and should be. He soon found himself entangled in the broil going on in the commission, the disturbing member of which, in the course of time, made the manager a special object of attack. In spite of the manner in which he was hampered, he continued on the job. At last the commission virtually gave him a vote of lack of confidence by reducing his salary. He still stuck, hoping to wear down the difficulties placed in his way and to prevent a purely political appointment which he feared would be made in case he should give up. He was finally dismissed by the commission.

THE SECOND MANAGER

The second appointment of a manager was not reassuring. The man chosen was a citizen of Sandusky, a druggist by profession, and a former mayor of the city under the old government. Although a good citizen, reasonably successful in his own business, no one pretended that he had any special qualifications for the office of city manager. Moreover, his former election as mayor upon a party ticket gave color to the belief that the new plan of government was gradually descending into partisanship. It is not strange that, with the wrangling in the council, the dismissal of the first manager and the appointment of another not conspicuously fitted for the place, together with the accusations and shoutings of the paper conducted by the editor-commissioner, a considerable portion of the people of Sandusky were bewildered, dissatisfied and disgusted.

Early in 1917 an initiative petition, fathered by the editor-commissioner, was circulated proposing an amendment to the charter which would have eliminated the manager plan. Through some defect either in the petition itself, or in the time when it was filed, the question of adopting the amendment was never presented to the voters. It is not improbable that had the question gone to the voters at that time, the manager plan would have been cast into the discard.

Gradually things began to improve. The two incompatible commissioners voluntarily retired and their places were filled by men who could work in harmony. The second manager did not turn out as badly as might have been expected. The power and influence of the editor-commissioner began to wane. The people were obviously growing tired of his clamor. At the regular municipal election held in November, 1917, the candidates for the commission supported by him were defeated. Soon thereafter, having sold his newspaper, he accepted a position in another city, resigned from the commission and shook the dust of Sandusky from his feet.

STRAIGHTENING OUT

Early in 1918 the second manager retired and in April was succeeded by George M. Zimmerman who had been serving as city auditor. Zimmerman, also a local man, had never been in public life until persuaded by the commission to accept the position of auditor. He had successfully conducted his own private business and performed excellent service for the city in bringing the accounts and finances into better condition. Not only the commission, but the citizens in general knew that Zimmerman was in no sense a politician. He did not seek the position of auditor and was not a candidate for the position of manager. In asking him to become city manager, the commission was aware that he was a man who would not be content with an empty title, but that so long as he held the office he would expect to be manager in the sense indicated by the city charter. Moreover Zimmerman is a frank, straightforward capable person, a man who can be positive and decisive without being dictatorial or otherwise unpleasant. Since his appointment in April of 1918, the machinery of the city government has run with increasing smoothness until Sandusky can now be compared favorably with other manager-governed cities.

But what was happening to the city business during the two troubled years prior to the appointment of the present manager? Certainly no city official could be expected to be at his best while working under such conditions. It might reasonably be supposed that the business of the city had fallen into a chaotic state and that the decline in the quantity and quality of service to which they had been accustomed was obvious to the citizens. This seems not to have been the case. The service rendered by the city government appears to have been at least up to the standard of the old régime and most of the citizens questioned seem to feel that, even during the period of worst turmoil, the new city government was more effective than the old. The dissatisfaction prior to 1918 was due rather to the constant bickering, and the uncertainty which resulted therefrom, and the fact that the new government was not producing results as much better than its predecessor as had been expected, than to any feeling that the affairs of the city were less ably conducted than previously.

ACHIEVEMENTS AND DIFFICULTIES

Beginning with 1918, positive achievements may fairly be spoken of, and when achievements by an Ohio city are mentioned the disadvantages of the financial restrictions under which they all labor should be kept in mind. For although Ohio cities have home rule in most matters, this does not extend to local finance. Under the so-called Smith one per cent tax law and amendments thereto, the total possible tax levy in any city for all purposes is only a little more than one and one-half per cent. This levy, be it remembered, must produce all the revenue arising from general taxation for state, county, school and city purposes. To make matters worse, the decision as to what part of the total levy shall be allotted to the city is not in the hands of the city authorities. A county budget commission, which is beyond the control of the city, after taking account of the levy required for state purposes, apportions the remainder of the total between the county, the schools and the city. Under this arrangement any Ohio city may consider itself lucky if the rate allowed it even slightly exceeds one-half of one per cent. Whatever rate is permitted is levied uniformly upon all property assessed for taxation. In the past years Ohio cities have had no other considerable source of revenue except the liquor tax. But Ohio went dry in the middle of 1918 and as a consequence Sandusky, which had received $22,253.79 from that source in 1915, received only $10,780 in 1918, and in 1919 will receive nothing at all. One can readily appreciate what this means in a city where the total receipts from taxation, in 1918, other than the liquor tax were only $132,096.

The Sandusky city-manager experiment has been made in the difficult war years from the beginning of 1916 to the present time. As compared with the great majority of Ohio cities working under the same financial handicaps, the record of Sandusky is very creditable. Take for instance the financial year of 1918. It was begun with a floating debt of $18,000 carried over from the previous year. In spite of this no deficiency notes or bonds were issued and the year was closed with the city free from floating debt. Moreover, a net reduction of $35,400 was made in the city debt chargeable against tax revenues. That is to say, bonds to the amount of $72,000 were retired and $36,600 in new bonds were issued—certainly not a bad record in these difficult times.

The record of the water department in 1918 is especially worthy of note. The water works is the only public utility owned and operated by the city. During 1918 wages in the water department were increased from 25 per cent to 40 per cent. The price of fuel rose from $3.62 per ton in 1917 to $4.40 in 1918 and, owing to war time restrictions on coal shipments, was of inferior quality at that. Nevertheless more water was pumped per ton of coal in 1918 than ever before. On January 1, 1919, the water works fund could report a surplus of $22,260 although the year 1918 was begun with a surplus of only $9,411 and a sinking fund charge of $38,148 had been met.

EXPENSES REDUCED—IN 1918!

Another thing pointed out with pride by the present administration is that, all departments considered, the city was operated for $2,000 less in 1918 than in 1917. These figures may appear petty as compared with millions glibly mentioned in New York, Philadelphia or Cleveland, but relatively they are large. It should be remembered that the total revenue from taxation of all kinds in Sandusky in 1918 was $142,876. Taking away the liquor tax, which has now disappeared, the revenue from general taxation shrinks to only $132,096 as has already been pointed out.

Naturally, during the war, public improvements had to be curtailed. Nevertheless, during 1918, a good showing was made. A considerable amount of new paving went down, sewer construction was continued and water mains were extended. The manager realizes that, with the present cost of labor and material and the rigid limitations of Ohio tax laws, the city must sail a careful course. He therefore recommended that, for 1919, no great amount of public work be undertaken.

It is noticeable that the advice of managers everywhere is more conservative than that of politically-chosen mayors. A mayor is here to-day and to-morrow he is not. He is prone to promise extensive improvements in order to boost his chances of election, for, at best, the promises of a mayoralty candidate made on the stump are not regarded as rigidly binding. They are in about the same category as the statements of the honest farmer made in a horse trade—to be considered as conditioned by the circumstances and ethical standards of that particular type of transaction. A city manager expects to go on through a period of years and his hope of doing so rests in no small degree on the proved soundness of his advice to the council. He must live with that advice and, therefore, it must be well considered.

In spite of careful handling by the present manager the chief problem immediately confronting Sandusky is financial. Since 1912 the bonded debt of the city, chargeable to general taxation, has increased rapidly. On January 1, 1919, the total was $846,650. The oldest outstanding bonds were issued in 1892. Under the old régime practically no provision was made for a sinking fund and for the first two years under the manager plan no step was taken to correct this defect. As a result the city has about a half million dollars in bonds falling due within the next ten or twelve years with no accumulation begun to meet these obligations. Careful financial planning will be necessary, involving a well devised system of refunding designed to spread future payments evenly over a term of years. This sort of service to a city is not spectacular but it is fundamental. Cities cannot go on indefinitely accumulating debt and making no provision for its payment, nor can they continue to increase their debts out of proportion to their growth in wealth. In Sandusky there is every evidence that the new government is meeting its financial problems with ability and firmness.

What do the people of Sandusky think of their manager government now? So far as can be ascertained by careful inquiry they are pretty well satisfied. Old theoretical objections have all but disappeared. It is possible to get close to the new government. No one was found who described it as undemocratic. The manager is always accessible and the council is fairly representative. Most of the members of the council would be described as "business men" but there is one labor representative, and he a moderate socialist. The latter is proving a valuable member of the council, both in interpreting the government to the wage earners and by reason of his superior knowledge of some matters coming before the council.

A DANGER-POINT IN THE CHARTER

It is difficult to say to what extent the present fairly representative council is due to the scheme of nomination and election provided by the charter and how far it is to be credited to mere accident. Nomination is by petition and neither an elimination primary nor a preferential voting system is used. Every candidate in whose behalf a 5 per cent petition is filed gets his name on the election ballot, and the number to be chosen who receive the highest votes are declared elected. Of course there is no assurance that a council so chosen will reflect majority opinion, or that one faction or group will not elect all the members. With issues sharply drawn the latter would be pretty sure to occur. However, under ordinary conditions, it seems probable that some representation of the larger and more conscious groups will result. Such representation will neither be assured nor accurate but may, in most cases, be sufficiently evident to allay dissatisfaction.

There is now no discoverable dissatisfaction with the method of choosing the council. No one has alleged that it is unfair or responsible for any troubles that have arisen. However, if one were given to prophecy, his reputation in that regard would probably be secure if he foretold serious future discontent with the electoral system of the Sandusky charter. When that time comes the city may turn to proportional representation, as the experience of the sister Ohio city of Ashtabula is likely to be persuasive. If a further venture in prophecy were made it might well be that the most important single factor in the future success of the manager plan will turn out to be the provision for an accurately representative and stable council. Like most dependable prophecies this is based on experience, and to this body of experience Sandusky has made a valuable contribution.

NEW PROBLEMS AHEAD

It will have been noted that in the foregoing story of Sandusky, there is no record of startling innovations or of sudden expansion into new fields of civic effort. On the contrary it is a plain tale of a difficult period successfully passed, of a community righting itself after an unfortunate beginning, and of the every-day affairs of a city being handled a little better than ever before. Sandusky would probably impress the uncompromising apostle of the "city ultimate" as undeveloped in community consciousness and its government as lacking in "vision." And, upon a superficial acquaintance with the city, such judgment would not seem to be unmerited. But, unless all signs fail, Sandusky is rapidly beginning to think as a community. There is evidence that the people are beginning to realize the importance of pulling together for a common cause.

In the process of arousing the city to community needs and community possibilities the chamber of commerce is proving a vital factor. It is leading the people to understand and appreciate things which, if first proposed by the city government, would be received with more or less suspicion. Thus even the new city government inherits a measure of that distrust which rightly existed as to the ability and disinterestedness of its predecessor.

To the charge of lack of "vision" the government of Sandusky might properly enter what the lawyers call a plea of "confession and avoidance." It cannot be denied that hitherto the eyes of the council and of the city manager have been fixed almost exclusively on the immediate work-a-day tasks of the city. Little else could have been done during the period of the war, and that is probably all that the people of Sandusky are now ready for anyway.

Vision, so called, usually translates itself in municipal affairs into such concrete things as city planning, housing, parks, playgrounds, recreation, etc. The apparent absence of vision in Sandusky may be partly accounted for by the fact that the city possesses in fair degree many of the things that other cities are striving hard to attain. There has been no sudden influx of population, though a considerable growth due to industrial expansion is now impending. With a population of between 25,000 and 30,000, it is claimed that 80 per cent of the families own their homes. The city is beautifully situated and has already an attractive and fairly adequate street plan. Shade trees abound and few cities of its size can boast such a beautiful system of parks. For fishing, boating and other water sports there is the great expanse of safe water afforded by Sandusky Bay. Across the bay is the finest beach to be found anywhere on the Great Lakes. This beach and the resort features there developed attract over a million and a half of pleasure seekers every year.

Sandusky appears to be on the eve of a considerable industrial expansion. In view of its location and advantages it should grow. The vision most needed in Sandusky just now is that which will make it possible to retain for this larger population the advantages which the people of Sandusky have hitherto enjoyed.

RICHMOND PASSES THE TURNING POINT

BY BROADUS MITCHELL

The Richmond Survey was one of the most important whole-city municipal research studies of last year. We asked Mr. Mitchell as one familiar with local affairs to relate the actual results that followed the sweeping recommendations of the survey. :: :: :: :: :: :: ::

I

THE movement which resulted in inaugurating a new plan of government for Richmond the first day of last January, while it had as its occasion popular dissatisfaction with one agency in the municipal organization, was really determined by the whole of the city's progress. The war demanded economy and effectiveness, victory in the fight for the federal reserve bank had impressed the obligations of leadership, success with Liberty loans inspired confidence. Dislodgment of the so-called administrative board, a superfluous cog in the city's machinery, was certainly the spectacular accomplishment of the better-government campaign. Yet it would be a mistake to consider the abolition of the board the underlying reason for the reform, and this is indicated in the fact that the board itself had birth some years ago in an ill-considered compromise between those who groped for concentration of power in the hands of the mayor and a group of reactionaries who wished continuance of the council and committee system.

It is true that voters in the election which instituted the revised charter were bent upon ousting the board and gave little attention to the form of government that was being brought in to take the place of the régime of which the board was only one bad feature, and it is also true that there is now little discussion of the new arrangement or of the extent to which it is correcting old grievances. These facts, however, spring from the complexion of a heated campaign, and are not criteria of the important and growing concern of the people in the organization of their municipal affairs. The action of the civic association of Richmond, which sponsored the reform movement, in capitalizing, during the agitation for the improved charter, the conspicuous inefficiency of the administrative board, and now, since the charter is in operation, in not pressing for the precipitate realization of all its benefits, is to be interpreted with the same desire to look beneath the surface. Clear distinction must be made between an exciting force which was efficacious at the critical moment and a determining cause which must be relied upon as insuring a progressive future.

It is no discredit to the civic association to find in its long and vigorous campaign through advertisement, newspaper publicity, the platform and the survey of the city government by the bureau of municipal research of New York, simply the crystallizing of public sentiment that was already in course of forming. Indeed, this is the best commendation of the method followed—that of carrying desire for reform in the van of reformers, so that when the situation had been made clear and the proposals for remedying it were up in concrete shape for a vote, there was no room for claiming that the movement had been imposed from above or that the demand for a new charter had been sprung on citizens unawares.

The work of the civic association led up to the survey and centered in its findings and suggestions. While the survey report was a sanction for plans already largely matured, it did the important service of bringing to the city an objective examination that strengthened popular conviction. Study of Richmond's government by specialists of the bureau of municipal research was commenced in July of 1917 and the printed report appeared before the new year. The investigators while in the city were properly silent as to their discoveries, and yet contrived, in statements and public appearances, to do much toward informing the people upon the large facts of municipal organization. Furthermore, it was interesting to those who watched the movement closely and who examined the report critically to see how skilfully the document combined fidelity to accuracy and scientific values with regard for local tradition; there was kept always in mind a constructive purpose which sought to minimize the danger of deadlocks and to realize the largest net result.

II

The report stated that the organization of the city government under the old charter possessed three main defects, namely, (1) there was no responsibility for leadership, (2) the organization was too complex, and (3) there was insufficient correlation of functions that in fact were related.

The city was headless, or worse than headless in having three heads—the mayor, the two-branch council and the administrative board. The mayor was almost entirely without appointive power and his power of removal was greatly limited by the right of appeal of the employe to the criminal court, in which appeal the mayor must appear a defendant. Members of the administrative board, which body named the heads of large departments, were elected by the people. Making membership on the board appointive might have safeguarded against the lamentable inefficiency which resulted from the elective plan, but could not have offset the objection that it is dangerous to look for as decided assumption of leadership or acceptance of responsibility in a group of officials as in an individual. The city council was in worse case as respects leadership and responsibility than the administrative board. The partial effectiveness of mayor, board and council had led to the confusion in fact of functions which were none too distinct in theory; the administrative board, besides acquiring appointive power properly belonging to the mayor, came to have legislative authority, and the council was scarcely more representative than administrative. Thus absorbed from, the mayor became a titular officer and department heads were little better than high-grade clerks.

Complication in governmental structure was accompanied by "red tape, waste, duplication, lost time and general inefficiency." The charter, much too long and resembling a code of statutes rather than fundamental law, had been built up and adjusted through revision and amendment until it reminded one of an old New England farm-house, its original central portion barely distinguishable amid the complexity of wing, addition, porch and lean-to of successive generations of enlargers. The people of the city did not understand the plan of the government and even few officials could do so.

This patch-work showed itself in no way more plainly than in the illogical separation of related functions. A random grouping of many departments under the administrative board was a very superficial economy of effort, and even here the public works functions were divided as between city engineer, superintendent of street cleaning and park keepers, to say nothing of others, City-owned gas, electric and water plants were operated, each independently of the rest. Obvious connection in protective purpose of police and fire departments did not prevent assignment of the former to the mayor and the latter to a board appointed by the council. There was like confusion in respect to financial and school officers. Administrative authority, diffused between several agencies, was rendered less forceful by the fact that such officers as the high constable, sheriff, city sergeant, city treasurer and commissioner of revenue were elected, under state constitutional requirement, by the people.

III

The bureau of municipal research suggested three plans upon which the city charter might be revised. These were the mayor and small council plan, the commission-manager plan and the the commission plan. The proposals were so contrived that none of them would necessitate amendment of the state constitution, highly desirable though this was seen to be as a future objective, and all of the three would operate, it was believed, to cure Richmond's principal governmental faults, especially in the respect of fixing executive responsibility in the mayor.

The mayor and small council plan was recommended as best fitting Richmond's needs, and the new or revised charter under which the city is now administered reflects tolerably faithfully the outline of this form of government as presented in the survey report. The proposal to reduce the council to a single body of nine members was not followed, but the suggestion to divide the administration into departments each with an especially qualified head appointed and removable by the mayor and together forming an expert advisory board was substantially embraced. All of the three plans put forward in the survey report, of course, contemplated the abolition of the administrative board, whose members as a general rule had never been, through education, experience or abilities, particularly fitted for the tasks intended to be accomplished by them.

It is best at this point to leave the survey report and examine briefly the provisions incorporated in the revised charter which was put into effect, since these provisions, on the side of structure of the government, represent the net gain from the reform movement.

Six departments are created—law, finance, public works, public welfare, public utilities and public safety. Heads of all departments except those of law and finance are appointed by the mayor subject to confirmation by the council, "such . . . heads of departments to be chosen by reason of fitness, training and education for the duties which pertain to the departments to which they respectively belong." The city comptroller, as constituting a check upon the mayor, is named by the council, and the city attorney, as peculiarly representing the corporation, is similarly appointed. The mayor is *ex-officio* chairman of the advisory board, which supplies the advantages without the disadvantages of the abolished administrative board, and to which matters may be referred by any department head and there finally disposed of in a decision which is binding upon all. Each director appoints his own subordinates subject to the approval of the advisory board, but he has plenary power of removal. In the creation of departments functional correlation is accomplished and, as respects administration, authority is pyramidized so as to place the mayor at the apex.

Lax charter requirements assisted by customary neglect had led to a very shambling budgetary system in Richmond. The mayor had little to do with decisions upon the proposed expenditures, and the appropriation ordinance sometimes did not reach him for signature until March, although the city's fiscal year begins February 1. Departments were embarassed in laying plans for the year and sellers to the municipality could not be sure that appropriations to be made would cover their invoices, though salaries of employes were provided for, with doubtful legality, by resolution of council. Recommendation of the bureau that the chief fiscal officer submit to the mayor estimates of department heads, with a complete statement of the current and prospective financial status of the city, by January 1, was embodied in the revised charter, and this in years to come will prove one of the most important gains from the survey.

The wisdom of the report in these largest matters is matched by the care with which lesser concerns were investigated and treated. Vigorous protest was made against the fee system, especially in the case where coupled with the conduct of the jail in such a way as to require that the city sergeant make this institution a paying one. Recommendations for untold administrative improvements, many of them by no means minor and amounting in the aggregate to the difference between efficient and inefficient government, composed the body of the report.

IV

It is difficult to estimate as yet the extent to which the aims of the reform movement are being realized in practice. The civic situation in Richmond appears to be quiescent; the new régime is on trial with the people, but the overwhelming adoption of the revised charter and many circumstances besides indicate that it is the personnel of the administration rather than the form of the government which must be proven satisfactory to the citizens. Provision of higher salaries for department heads would not have resulted in the selection of men superior to those chosen, mainly because the city does not contain better material. Thus far, it seems, the officials are showing themselves to be successful. It is foretold by some that future mayoralty elections will be fought out on the basis of candidates' promises to name this or that individual to headship of a department at the time particularly under scrutiny; indeed, evidence of this has already appeared.

Two circumstances have hindered more thoroughgoing conformity with the survey report's proposals: first, in the effort to discount the effect of the reform movement, a council committee, totally unfit for its duties, came to its conclusions about charter changes virtually without the assistance of the specialists' findings, which were delayed in being communicated; second, administrative officers have been unable rather than unwilling to put in practice quickly recommendations of the bureau regarding the conduct of their departments. Primary structural changes were, however, inaugurated, and administrative improvement is being noted constantly. Attempts to give the impression that the latter has no external stimulus do not annoy those whose only anxiety is to see the betterment come about. In these matters, co-operation of the city in the bureau's investigation was a guarantee that Richmond had determined upon the new course. Correction after public knowledge is only a matter of time.

There has recently been a conspicuous case of greater administrative efficiency under the new government. Spoiled meat supplied the almshouse was the subject of a quiet interview between the director of public welfare, the superintendent of the institution and the provisions contractor. The fault was proved and admitted, the bill rebated and the meat destroyed. Under the old system this would have been the excuse for endless scandal, profitless talk and the complete diversion of municipal energies.

Caution of the survey against creating obligations for the purchase of supplies or improvements the life of which is less than the life of the loan have not been heeded, the council borrowing heavily for current expenses to prevent a sharp increase in the tax rate recommended by the mayor. There is no vital connection, however, between the financial situation and the new form of government, most of the difficulty being inherited from the old system. That the new order has brought a fillip to the city is seen in the fact that the civic association is finding the mayor responsive in its advocacy of large bond issues for sewer and paving construction.

Members of the administrative board in a desperate effort to save the old system and particularly their positions on the board as a part of it, with little thought that their partisan advocacy was the best argument for failure, took the stump in the charter campaign, and reactionaries the very day before the election prophesied their victory. But there was a settled conviction that the change would remove the domination of selfishness and smallmindedness and bring Richmond governmentally abreast; those acquainted with Richmond know that one more American city has passed permanently through the chapter of wastefulness and control by petty politicians. The civic association, in all of its progressive plans, instead of having to fight the charter and the administration, is finding itself more and more able to co-operate with the government and its officials in rendering double service to the city.

A LITTLE HISTORY OF PORK

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I. A REPORT ON RIVERS AND HARBORS

The First Pork-Barrel Bill

ALTHOUGH it has been overlooked by chroniclers of events and disregarded by scholars of history, the 20th of May, 1826, should be set down as a red-letter date in American political history. It is not the date of a decisive battle, nor is it the birthday of a president; it is not even the date of a significant speech or an important executive message; it is entirely devoid of dramatic interest; it merely marks the final enactment of the first omnibus appropriation measure for the improvement of rivers and harbors. Yet it has a more vital relation to the present than all but two or three of the very conspicuous and renowned dates in our national history; for that first river and harbor bill was the forerunner of a system of financial legislation whose evil effects have been immeasurable and which still afflicts the financial processes of our national government like a terrible blight.

Prior to the date mentioned the practice in making appropriations for the improvement of rivers and harbors had been to embody each appropriation in a separate bill or to incorporate the few and scattered appropriations for this purpose in one of the general appropriation measures. In one important particular, however, appropriations for the improvement of rivers and harbors were inherently different from the general run of federal appropriations of the period. While the objects of the expenditures for improving rivers and harbors were national in the sense that a benefit was conferred upon commerce and navigation in general, unique advantages accrued to the localities where such improvements were made, and this had the effect of arousing in all other localities a hunger for similar treatment regardless of the principle that national importance should afford the only justification for undertaking the improvement of a river or a harbor in any community. The natural reaction of this fundamental difference between river and harbor appropriations and those for most other federal purposes was that localities all over the country began to exert pressure upon their representatives in congress to secure river and harbor improvements, and members of congress in response to mandates from home began to practice all of the dexterous arts of legislative legerdemain in order to obtain appropriations for the objects desired.

The Rise of the Pork-Barrel System

Now the classic strategy of the legislator who is obliged to champion an intrinsically unmeritorious and indefensible proposition is what in the United States has come to be called "log-rolling," after the picturesque custom of the early backwoods pioneers in mutually exchanging help in the clearing of land and the erection of log buildings. The legislator proceeds upon the same principle of reciprocity when he engages to vote for an unworthy measure sponsored by a colleague in exchange for the colleague's support of his own equally unconscionable bill. As the pressure for river and harbor appropriations increased, logrolling became prevalent in connection with all measures carrying such appropriations, but it was not fast enough and sure enough to constitute a satisfactory instrument for the rapidly growing number who desired to secure gratuities from the national treasury for the benefit of their home communities. This fact explains the genesis of the omnibus river and harbor bill. When each river and harbor appropriation had to go through as a separate bill or as part of a general appropriation measure whose major items pertained to purposes wholly foreign to waterways, there was a high percentage of failures among the bills of purely local interest, which often were too obviously unworthy either to stand alone or to justify incorporation in a general appropriation measure. But if all proposed appropriations for rivers and harbors could be assembled in one bill and thus passed as a single proposition by one vote, this high mortality rate could be enormously reduced. The good items in such a bill would stand as apologists for the bad, and the bad could not be eliminated without losing the support of those who had procured their insertion and thus endangering the good, which would fail if the omnibus bill should be defeated. With the good and bad thus inextricably bound together in a bill consisting often of several hundred items, each of which carries an appropriation for a distinct and independent improvement project, about the only step necessary for the member seeking an appropriation for petty local purposes was to get his item into the omnibus bill. Whether a conscious recognition of this truth had anything to do with the decision to unite all appropriations for improving waterways in an omnibus river and harbor bill, we shall never know; but the patent facts are that the omnibus bill was inaugurated in 1826, and that the results were as described.

That petty local interests were not slow to perceive the utility of the new expedient in promoting their own ends must be obvious to any one who has taken the pains to peruse the congressional debates of the period. The following quotation from the debates of the house of representatives on May 1, 1827, shows quite clearly what followed the inauguration of the omnibus bill:

> Mr. Cambreleng of the committee on commerce stated that the committee found it necessary to fix some limit as to compliance with the various requests and applications made to them for the improvement of harbors. If they complied with all they were asked to do, there would scarce be a creek or inlet along our whole coast where some public work would not be erected. They had been in one case asked to improve a harbor situated upon a river, above the falls of that river.[1]

When Andrew Jackson became president in 1829, he made war upon all appropriations for internal improvements by the federal government. This policy was followed more or less faithfully by all of Jackson's Democratic successors, and Presidents Tyler, Polk, and Pierce conceived such hostility to river and harbor legislation that they made use of the veto power to defeat the river and harbor bills which congress passed during their administrations. The upshot was that, despite strenuous attempts in every session of congress, there was no omnibus waterway legislation of any moment except in the year 1852 until after the Civil War. After the war the omnibus river and harbor bills became a part of the regular appropriation program of congress, and there have been since then only two instances of executive intervention to subvert such legislation, one being the veto by President Arthur in 1882 and the other being the veto by President Cleveland in 1896.

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[1] Congressional Debates (Gales and Seaton), v. 4, p. 2557.

A Summary Analysis of the Pork-Barrel System

An exhaustive exposition of the system which has evolved in connection with these omnibus river and harbor bills cannot be undertaken in a brief article like this, but its main features may be summarized as follows:

1. Each omnibus bill is prepared by a committee (or better, perhaps, by two committees, as there is a committee in each branch of congress to which river and harbor legislation is confided), and the members of the committees, being human, naturally take care to include all of their own pet items in the bill. No collusion is necessary to accomplish this because very few committeemen have the temerity to object to items desired by another member of the committee. Such action would be a breach of courtesy and would endanger the items desired by the objecting member.

2. Spurred by pride and ambition for political success, the committee desires to frame a bill that will win favor in congress and that will pass by comfortable majorities. To accomplish this in the case of a bill making appropriations to numerous local points, it is necessary to admit into the bill enough items for the various states and congressional districts to enlist the enthusiasm and support of a majority, although not all of these items may be of the most commendable type.

3. Members who have not profited by either of these distributions of "pork" lay siege to the committee with a combination of cajolery, imprecation, and fulmination that usually breaks the none too inflexible will of the committee.

4. The bill proceeds through the house under the convoy of steam-roller procedure controlled by the committee, so that there is very little chance for debate or amendment; or if the committee has failed to frame a bill which commands sufficient votes to pass in this manner, the revolt in the house will not design to defeat the bill but simply to add to its items.

5. Since both houses act independently and one seldom accepts without amendment a bill passed by the other, it is necessary to have some agency to smooth out the differences between the two respecting each bill. This is a temporary joint committee known as a conference committee. In the conference committee an omnibus river and harbor bill receives its final touches, for it is usually either the report of the conference committee or no legislation at all. And the conference committee, be it noted, is in no way emancipated from the influences and motives that have been described in the foregoing paragraphs.

The peculiar thing about this system, it will be observed, is the fact that it generates its own momentum. The personal and political forces which merely stimulate and encourage log-rolling in a spasmodic and irregular way find in the omnibus bill an instrument through which they can operate regularly and systematically, and which in turn invites and stimulates them to action.

This system has acquired a name which is quite as distinct and meaningful as "log-rolling." On the southern plantations in slavery days, there was a custom of periodically distributing rations of salt pork among the slaves. As the pork was usually packed in large barrels, the method of distribution was to knock the head out of the barrel and require each slave to come to the barrel and receive his portion. Oftentimes the eagerness of the slaves would result in a rush upon the pork barrel in which each would strive to grab as much as possible for himself. Members of congress in the stampede to get their local appropriation items into the omnibus river and harbor bills behaved so much like negro slaves rushing the pork barrel, that these bills were facetiously styled "pork-barrel" bills, and the system which originated with them has thus become known as the pork-barrel system.

Results of the Pork-Barrel System

To appraise accurately the calamitous results that have been wrought by this pork-barrel system of legislation over a period of ninety-three years is beyond the power of any man. Hundreds, possibly thousands, of petty local points, have enjoyed the largess of the federal government through these pork-barrel bills. Just what proportion of the outlay for the improvement of rivers and harbors may be set down as pure waste cannot be estimated with great accuracy. Persons in a position to know better than the present writer have placed it at not less than one half. If such is the case, it represents a sum close to a half a billion dollars that has been dumped into the sands of puny rivers and the tides of tiny harbors just to satisfy the greed of provincialism. This is bad enough, but the outlook for the future is worse. River and harbor bills carrying from $30,000,000 to $50,000,000 are now common, and unless corrective measures are applied at once, we shall duplicate the waste of the past ninety-three years within the next twenty.

The Recent Attempt to Eradicate the Pork-Barrel System

In conclusion it should be stated that although a determined effort has been made in recent years to liberate river and harbor legislation from the clutches of the pork-barrel system, it seems to have come to naught. In 1914 the house of representatives passed the largest and most scandalous river and harbor bill ever known in the history of the country. When this bill came up in the senate, it was fought to a standstill by a small group of senators under the leadership of Senator Theodore E. Burton of Ohio. By a protracted filibuster they held the bill up until it seemed certain that it could not pass before the adjournment of congress. Came then to the rescue Senator Bankhead of Alabama with a resolution to refer the bill back to the committee with instructions to report a bill carrying a lump sum not to exceed $20,000,000, which should be apportioned to specific works by the chief of engineers under the direction of the secretary of war. This resolution was forthwith adopted, and on the following day the committee reported back the lump sum bill as instructed. The pork-barrel forces made their last stand in attempting to secure amendments to this bill guaranteeing that provision would be made for specified projects, but they were outvoted. The bill then went to the house of representatives, which declined to accept the substitute bill and asked for a conference. But the time remaining was too brief for an extensive parley in the conference committee, and the senate lump sum bill was recommended by the conference committee as a last resort. Both houses hastily adopted it, and it was at once submitted to the president, who approved it. This defeat temporarily disheartened the pork-barrelists, and in 1915 they rather tamely submitted to another lump sum bill. But in 1916 they were back again in full force. Taking advantage of the dissatisfaction with the allotments as made under the direction of the secretary of war as well as the retirement of Senator Burton, they rallied support enough to put through an old-fashioned river and harbor bill of about 300 items. At this juncture came the war, interrupting nearly all of the normal courses of life. But it did not feaze the smooth course of the now thoroughly revived pork-barrel system in river and harbor legislation. On August 8, 1917, some four months after our country entered the war, an omnibus river and harbor bill distributing some $30,000,000 was approved. Ostensibly this was for the maintenance and upkeep of existing improvements, but curiously enough it was careful to provide for the maintenance and upkeep of many improvements which it would have been better to abandon and which have never had the approval of the engineer corps. So the sordid story runs. The latest river and harbor bill was approved on March 2, 1919, and it carried approximately $27,000,000 for more than 200 different projects, 70 of which were absolutely new and entirely uncalled for by the exigencies of the times. This act was opposed both in the house and the senate, but nothing could stop its victorious march. Representative James A. Frear of Wisconsin, who led the attack in the house, evidently entertained no illusions as to the probable success of his venture, for among his opening words were these:

> If I declare the bill before us is a "pork-barrel," indignant committee members who never opposed an item or a bill in their lives and who support anything and everything, would bitterly resent as a personal affront such a charge, so I will not make it. I do say in a modest Christian spirit that this bill could never pass congress, but for the fact that it contained over 100 old projects and 70 new projects with additional surveys scattered from Maine to Mexico and to the Pacific coast, all of which bring votes to the bill. Not one item out of three, presumably, would get through if presented to the house singly, but in an omnibus bill everything goes.[1]

II. PORK-BARREL PUBLIC BUILDINGS LEGISLATION

The Former System of Building Legislation

A somewhat disproportionate amount of space has been allotted to river and harbor legislation because the pork-barrel system grew up in connection with those bills and has flourished most extensively in them. But there are several other typical pork-barrel bills which merit discussion in this study. First in order of time are the omnibus public buildings bills. Prior to 1902 when a member of congress wished to obtain an appropriation for the erection of a post office building at Slow Corner or Hay Station in his own bailiwick he had to get through an act authorizing the erection of such a building and specifying the sums to be expended for the purchase of land and the construction of the building. Such an act did not, however, authorize the expenditure of any money for the purposes named; it was merely a warrant to proceed when funds should become available through the regular processes of appropriation. But it did have the fact of creating a strong moral, if not a legal, claim for an appropriation, which the appropriations committee would recognize in its proper order by including an item in one of the general appropriation measures, usually the sundry civil bill. On account of the widespread demand for federal buildings there was naturally much log-rolling to secure the enactment of these authorization bills, but since each had to stand alone as a separate piece of legislation the pork-barrel system was impossible.

The Advent of the Pork-Barrel System

But in 1901 an event occurred which portended the capture of this species of legislation by the pork-barrel system. A large number of acts had been introduced increasing the limit of cost for building projects already authorized, and these were brought together in one bill, which on March 3, 1901, was passed as a single act. A few members of congress divined the nature and significance of this measure and commented upon it at the time. Representative William Sulzer of New York, for instance, called it "a demonstration of the cohesive power of public plunder."[1] Senator Orville G. Platt of Connecticut said of it: "It is like these other bills that come here—omnibus bills. There is so much in them for different states that the whole bill goes, when if they were brought here in separate bills, they would be carefully considered and very likely rejected." This opening wedge was successful, and about a year later (June 6, 1902) the first omnibus public buildings bill along the lines of modern styles was enacted. The pork-barrel system was thus inaugurated; the requirement of a separate bill for the authorization of each federal building was soon discontinued and the omnibus bills became the sole vehicle for authorizing such construction. The only particular in which the system thus created differed from that observed in river and harbor legislation is that the omnibus public buildings bills do not make direct appropriations from the treasury, it still being necessary for the money to be provided in subsequent general appropriation acts. And curiously enough this slight deviation from the normal greatly augments the subtlety and seductiveness of the pork-barrel system in building legislation. For although the omnibus buildings bills appear perfectly innocent because they impose no direct and immediate charge upon the treasury, the truth is that every item of such a bill is practically certain of recognition in a subsequent sundry civil appropriation bill.

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[1] Congressional Record, v. 57, p. 946.

Effects of the Pork-Barrel System

The effect of the pork-barrel system on buildings legislation quite parallels its effect upon waterway legislation. There has been an avalanche of buildings since the pork-barrel system became operative. More than 80 per cent of the building authorizations by congress since 1789 have been since 1902. In other words more than four times as many buildings have been provided for in 17 years under the sway of the pork-barrel system than under 113 years of unsystematic log-rolling. And the character of this plethora of buildings is fully as remarkable as its quantity. To tell here the tale of all of the hundreds of monumental structures that adorn the public squares and main streets of crossroad villages and diminutive municipalities would require volumes instead of pages. Let us hearken to unquestionable authority: In 1909 Postmaster General Meyer stated that the previous congress had appropriated $20,000,000 for the construction of post office buildings in small towns and cities where his department had recommended no new buildings; and in 1915 Postmaster General Burleson complained of the same thing, saying: "Many buildings are erected in cities where the cost of janitor service alone greatly exceeds the amount necessary to secure satisfactory quarters, including light and heat, under rental agreement, which is not believed to be wise business policy."[2] Here are a few of the cases that Mr. Burleson probably had reference to; there are scores in the same class:

Aledo, Ill., population 2,144, cost $65,000; Bad Axe, Mich., population 1,559, cost $55,000; Bardstown, Ky., population 2,136, cost $70,000; Basin, Wyo., population 763, cost $56,000; Big Stone Gap, Va., population 2,590, cost $100,000; Buffalo, Wyo., population 1,368, cost $69,000; Fallon, Nev., population 741, cost $55,000; Gilmore, Tex., population 1,484, cost $55,000;

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[1] Congressional Record, v. 34, pp. 3410 and 3488.

[2] Annual Report of Postmaster General, 1915.

Jellico, Tenn., population 1,862, cost $80,000; Vernal, Utah, population 836, cost $50,000.

Contemporary History of Public Buildings Bills

The recent history of public buildings legislation offers little promise of better things. The last large omnibus public buildings bill was passed in 1913, and it carried an enormous cargo of "pork." Yet the ink of the president's signature had scarcely dried on the bill when agitation for another bill was begun. By 1916 it has accumulated so much force that a bill embracing some 400 projects was prepared and introduced. This bill passed the house of representatives on January 19, 1917, and was just at the point of being acted upon in the senate when the advent of the war caused an indefinite postponement. But just as soon as peace was restored a concerted effort was made to revive it. Indeed, many congressmen, impatient of the delay involved in the preparation of an omnibus bill and unwilling to risk the old method of individual authorizations followed by appropriations in the sundry civil bill, rushed in with special bills containing both authorizations and appropriations for their favorite projects. Fortunately these were sidetracked, and a majority of the members were able to content themselves with the introduction of authorization bills in accordance with the old procedure. Between December 2, 1918, and March 4, 1919, the number of such bills introduced was 374. They were referred to appropriate committees for disposition, and the committee seemed reluctant to report them out either individually or in omnibus form. And the hesitancy of the committee is not remarkable in view of the fact that the majority were of the character illustrated by the following typical cases:

Bedford, Ohio, population 1,783; Canadian, Tex., population 1,648; Algona, Iowa, population 2,908; Atoka, Okla., population 1,968; Yellville, Ark., population 463; Walhalla, S. C., population 1,595; Hailey, Idaho, population 1,231; Hays, Kan., population 1,493; Gravette, Ark., population 569; Idabel, Okla., population 1,493.

The pressure finally became so great that in the closing days of the session two omnibus bills were brought in, but they were too late to have any hope of passing. Undaunted by these reverses the sponsors of these petty projects all came back strong in the 66th congress. Between May 19, 1919, and July 1, 1919, a total of 417 bills to authorize the construction of public buildings were introduced, being mainly the bills which had failed in the previous session. On July 1, these had not as yet been welded into an omnibus measure, but doubtless by the time these lines appear in print that inevitable step will have been taken.

III. THE STORY OF PRIVATE PENSION LEGISLATION

The Original Purpose and Use of Private Pension Bills

The private or special pension legislation constitutes another field in which the pork-barrel system has of recent years become dominant. Originally the private pension act was an expedient for correcting the imperfections of the general pension laws, which laid down the conditions under which applicants could obtain pensions by appealing to the Pension Bureau of the Department of the Interior. In the distracting years of the Civil War and the chaotic times immediately thereafter it was difficult, if not impossible, to frame a pension law in general terms which would cover all meritorious cases. There were bound to be all sorts of unique and peculiar cases where persons had performed services of hazard and hardship, but owing to technicalities could not qualify for pensions under the general laws. Not possessing information in advance regarding all of these cases, congress could not include enough saving provisos in the general statutes to cover them all; and, therefore, the only way a person belonging to this class, even though he had been seriously disabled in the service, could secure a pension was to get passed a special pension act naming him and ordering the Pension Bureau to place him on the pension rolls at a stated rate.

Between 1861 and 1863 twelve acts of this kind were passed, and in the ten years immediately following the conclusion of the war the number varied between 150 and 200 for each session of congress. As time elapsed, however, the need for special pension acts was almost entirely removed by the progressive liberalization of the general pension laws. Indeed the general laws became so extravagantly generous as to excite much adverse criticism, and there is no doubt that they opened the door of public bounty to many persons entirely unworthy of the nation's gratitude. Under these conditions one would naturally expect a great diminution in the number of pensions granted by special act. *But as a matter of fact the number has steadily grown; and fifty years after the close of the Civil War special pension grants were being made at an annual rate exceeding the total number allowed in the first thirty years following the termination of the war.* This is a phenomenon which requires explanation.

The Perversion of Private Pension Legislation

Beneficent as was the purpose of the special pension act, it could not escape perversion. Just as soon as it became apparent that the Pension Bureau could be circumvented by means of the special act, members of congress were deluged with requests for this sort of legislation. There were, it appears, literally thousands of pension claimants who for one reason or another could not satisfy even the constantly less exacting requirements of the general statutes, and these besought their representatives in congress to secure the passage of special acts supervening those requirements. Excepting, of course, those from the South, every member of congress was overburdened with appeals of this sort at every session of congress. It was the member's duty, to be sure, to resist the solicitations of persons not morally entitled to be pensioned; but oftentimes his perception was dulled by fear of the political power of the soldier vote, or he was deceived as to the facts of the case, or he allowed his sympathy for a person in distress to outweigh his judgment as to the merits and propriety of the appeal. Whatever may be the explanation, it is a fact that in the course of a few years the special pension act became the favorite resort of all pension claimants whose cases were deficient in legal or moral support.

It is easy to realize how bills of this kind should become subjects of log-rolling. Each bill was for the benefit of a particular person in a particular locality, and nobody but the member from that locality had any direct interest in its success. It might pass on its merits, and again it might not, especially if it chanced to be short on merits. Log-rolling, therefore, furnished the only guarantee of success. Although some restraining influence was exercised by the committee to which all such bills were referred for scrutiny before action was taken in the house, the committee could not afford to be too arbitrary because nearly all of its members would have special pension acts in which they were interested. Furthermore, it was not long before the flood of special pension bills became so enormous (as many as 20,000 have been introduced in a single session!) that the committee at best could give only a perfunctory examination to each bill, and could not be any too sure of the character of those it recommended for passage.

The Pork-Barrel System and Its Effects

At this juncture came the pork-barrel system. It was in 1908 that congress abandoned the practice of requiring each special pension grant to pass in a separate bill, and initiated the present custom of lumping together hundreds of these measures in the form of an omnibus bill. The results of this departure which incidentally introduced the pork-barrel system, are simply amazing. Between 1861 and 1908, a period of 47 years, 19,738 special pension grants were made; but from 1908 to 1916 the number was 29,367. In other words, more than 60 per cent of the total number of special pension grants have been made since the pork-barrel system became operative in 1908!

And the quality of this torrent of special pension grants is quite as sensational as its quantity. To say that the majority of them have provided gratuities for persons who have absolutely no claim upon the benevolence of the country is to speak with great moderation. When we read of the deserters, the bounty jumpers, the unpensionable widows, the remote relatives, the post-bellum recruits, and the various other species of undeserving scoundrels who have had their names inscribed on the pension rolls by means of the special act, we wonder whether every omnibus pension bill is not a tissue of venality and corruption. But former Senator N. P. Bryan, who was for several years a member of the pensions committee of the senate, furnishes a less sinister explanation. He says:

> The committee on pensions cannot sit as a body and examine these claims. Sixty-five hundred of the cases last approved were passed in the senate in a purely pro forma way. These bills necessarily have been referred to somebody and that somebody is a clerk either in the department or the committee. He writes out these stories, they are incorporated in the report, and neither the committee, the senate, not the other house know what they are doing.[1]

The flood of special pension grants through the omnibus pension bills continues unabated and unchecked. But even the demands of the late war could not restrain its onrush. On March 2 and 3, 1917, seven omnibus pension bills were passed containing from 100 to 300 items each. A month later, on April 2, President Wilson summoned the new congress in an extra session and asked for a declaration of war against Germany. From that day until the final passage of the declaration of war three days later the country was breathless with anxiety and suspense. The representatives of the American people were in solemn conclave to decide whether they would plunge the country into the most stupendous and terrible war in history. And what was congress doing in those tense hours? Preoccupied ostensibly with events and issues of unprecedented significance, it was in fact behind the scenes attending to "business as usual"—at least to pork-barrel business. On April 3, 1917, exactly 947 special pension bills were introduced and referred to the proper committees for incorporation in subsequent omnibus pension bills, and on April 5, the day of the passage of the war resolu-

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[1] Congressional Record, v. 51, p. 5664.

tion, 250 more were added to this list. Not even the challenge to "make the world safe for democracy" could dispel the charm of the pork-barrel system. What disinterested patriotism could not do in that hour, it has not done since. Congress went ahead grinding out omnibus pension bills throughout the period of the war without ever slackening its pace. The third session of the 65th congress ending on March 4, 1919, enacted six omnibus pension measures which averaged more than a hundred items apiece. Upon the opening of the 66th congress literally thousands of bills for special pension grants were brought in and referred to the proper committees in the two houses, and up until July 1, 1919, fifteen omnibus bills embodying these bills had been introduced; but at that date none of them had yet been acted upon. The end seems nowhere in sight. It is costing us more than $6,000,000 a year for the pensioners already on the roll as the result of special enactment, and we have been adding to this at the rate of about $500,000 a year. In the past the annual shrinkage due to the rapid death rate of veterans has reduced this to a net figure of approximately $250,000; but as claimants on accounts of the Spanish War and the recent World War come to avail themselves of special pensions we shall lose the benefit of this shrinkage.

IV. THE LESSER PORK-BARRELS

Although the measures discussed are the major pork-barrel measures, there are several other species of legislation over which the pork-barrel system is sufficiently influential to warrant brief mention.

An army post is so huge a prize that every section of the country is eager to have one; and if army posts could be multiplied and spread broadcast like buildings or pensions or river improvements, there is no doubt that the pork-barrel system would quickly dominate the legislation locating these establishments. But military establishments can never be sufficiently numerous to furnish material for pork-barrel legislation. Scandals have arisen in connection with the location of posts now existing, but in the majority of cases these owe their origin to free-lance log-rolling and not to the pork-barrel system. But in the retention and improvement of army posts that have long been obsolete, the pork-barrel system does come into full play. Appropriations for the support and upkeep of the army posts are carried either by the military bill or the sundry civil bill, and sometimes by both. As both of these are omnibus measures, items for the benefit of the unworthy and unnecessary posts are secured by means of the pork-barrel system. And as a result of the intervention of the pork-barrel system in behalf of such items the government is still lavishing money upon a large number of army posts which have long survived their day of usefulness and which time after time have been recommended for abandonment by the war department. Most of these old forts were established on the frontier in the early days to furnish protection against Indian attacks. To-day there is little use for them because they are situated in remote and inaccessible places which render them unfit for concentration and training camps in a modern war, a fact which was emphasized by the inability of the war department to use any of them to great advantage in the late war.

In regard to navy yards a similar situation exists, with the exception that the navy yards are not so numerous nor so poorly located as the army posts. But we have to-day several navy yards located where the water is so shallow that modern battleships cannot use them. They ought to be abandoned, and if naval officials had their wishes they would be. But the pork-barrel system keeps them alive in the same way that it prolongs the life of the obsolete army posts.

The assay offices furnish another case of the same kind. Directors of the mint and secretaries of the treasury have repeatedly recommended that all but one or two of these be abolished. Typical is the recommendation of Secretary McVeagh in 1911: "The assay offices, with the exception of the one at New York city, are no longer necessary to the treasury system. They are useless survivals and are no longer of any use. They cost the government $185,000 per year and the whole amount is thrown away. At one time there was a reason for their existence but that has passed away. They ought to be abolished and I confidently recommend their abolition to congress." They are still with us. The pork-barrel system furnishes the explanation.

Another instance of the same character is the non-reservation Indian schools. Commissioners of Indian affairs have persistently advised that these be abolished in order to make way for a better type of Indian education. But the communities in which they are situated resist such action, and inasmuch as the Indian bill is of omnibus character the pork-barrel system procures the necessary appropriations for continuance with clocklike regularity. The people of this country may have a romantic interest in the education and welfare of the red man, but they have a practical interest in "pork" which yields to no mere sentiment.

Finally there is the annual congressional seed distribution. The agricultural bill (an omnibus bill) always carries an item amounting to $250,000 or $300,000 for the purchase of seeds, and by the time the cost of packeting and mailing is included the total outlay usually reaches $500,000. It is specified that five-sixths of the total quantity of seeds purchased shall be apportioned among the members of congress for distribution among their constituents, each member supplying the Post Office Department with a list of names for that purpose. Since the seeds are purchased on the open market as a result of the submission of competitive bids, they are not always of high quality; indeed their germinative record is so poor that gardeners never rely upon them for crops. There seems to be a general understanding that their purpose is not to promote the growing of better varieties and to stimulate agriculture, but to catch votes. The seed men know this, and consequently they work off their inferior grades in sales to the government; most of the constituents know it by reason of sad experiences in trying to make congressional seeds grow; but members of congress as a rule simulate outraged innocence whenever it is suggested that there are ulterior motives in this seed business—in fact, the writer knows of one case in which a member of congress protested indignantly because a county superintendent of schools sanely ruled that congressional seeds should not be used in school garden contests. The whole scheme is nothing but an audacious piece of pork-barrel legislation, which at one stroke provides a piece of "pork" for each member of congress which he can use for his own private and personal purposes.

V. AN EXECUTIVE BUDGET SYSTEM THE ONLY REMEDY

Disuse of the Omnibus Bill

The omnibus bill is so predominant a factor in the development and operation of the pork-barrel system that it has been suggested from some quarters that the abandonment of this expedient would naturally bring about the dissolution of that system. Probably it would; but the cure might be more fatal than the disease. The omnibus bill is something more than merely an instrument unexcelled in the furtherance of log-rolling; it is an indispensable device for speeding up the work of congress. The volume of business that must be ground out by congress in these days is so enormous that to require a separate vote on every item now incorporated in the leading omnibus bills would impede the progress and slow down the procedure of the national legislature to an extent that would excite a howl of protest. Congress is too dilatory as it is, and anything that would aggravate this failing would be intolerable. The omnibus bill performs a vital service in facilitating legislation, and the part it plays in the pork-barrel system is simply incidental and owing to the fact that proper precautions have not been taken to safeguard its use.

If it were possible, however, to dispense with the omnibus bill, the gain would not be as great as is imagined. The intriguing, smooth-working pork-barrel system probably would disappear and we would be cast back into a state of inordinate and wholesale log-rolling which would be nearly as vicious. It was pointed out in the sections dealing with special pensions legislation and public buildings legislation that log-rolling had become very prevalent and successful long before the advent of the pork-barrel system. Abandonment of the omnibus bill would simply mean a restoration of these conditions or worse ones.

The Item Veto

It has often been urged that if the president could veto items of appropriation bills as the governors of many states are empowered to do, he could thwart the pork-barrel system by pruning the "pork" out of omnibus appropriations. On its face, this is a promising expedient, but close scrutiny shows that it would be likely to disappoint the hopes it has aroused.

A president who would undertake by means of the item veto to purge all omnibus appropriation bills of "pork" would find himself confronted with a perplexing dilemma. To give adequate consideration to each of the aggregate of several thousand items that make up the major appropriation measures and to do it in the limited time usually available for the exercise of the veto power would be an impossibility for him even with the assistance of a large staff of assistants; and too, the time necessary for this work would result in holding back the appropriations for months after congress had acted. Moreover, it would require a constitutional amendment to confer upon the president the item veto power and to accord him more than the ten days allowed by the constitution for the exercise of the veto power.

There is still another objection to the item veto. The experience of many of the states which have that scheme shows that it would place in the hands of the president a weapon which he could employ surreptitiously to harass his critics and reward his friends. Without seeming to be malicious, the president could and probably would discriminate in favor of his faithful henchmen by omitting to strike out their "pork" but always vetoing items beneficial to his enemies; and in this way the item veto would become a political weapon in his hands. The matters involved would as a rule be so trivial that they would not attract widespread attention and would excite no popular indignation outside of a few scattered congressional districts; and although the president's veto could not foreclose the case against the member thus struck at, it could be made a source of serious annoyance and embarrassment. Idealists may believe that presidents would not so misuse the item veto power, but such persons cannot be very familiar with practical politics.

A Single Appropriations Committee

One of the causes of the pork-barrel system is the division of responsibility for appropriation measures in the two houses of congress. When the responsibility for preparing appropriation measures is cut into eleven parts in the house of representatives and eight in the senate, there can be no genuine accountability for the character and content of such measures and no careful supervision of the work of preparing them. Committees are cumbersome expedients at best; and when partisan politics, provincialism, and competition are injected into their proceedings, vicious results are certain to follow. A few members of congress, therefore, being aware of the defects of our financial system, have advocated a return to the former plan of having one committee in each house responsible for all appropriation legislation. It is contended that this would unify and definitize responsibility for appropriation measures, which would in turn do much to checkmate the pork-barrel system.

One hesitates to oppose an internal reform like this; but the fact is that it would hardly be adequate. It is even doubtful whether a single committee would be able to bear up under the enormous load that would be placed upon it under modern conditions. One of the reasons for the distribution of appropriation work among several committees was that the volume of work was growing so that it seemed to be too much for one committee, and it is immensely greater now than when this step was first taken.

But leaving this out of consideration, it still seems improbable that centralization of committee work will suffice. Centralization of committee responsibility would mean a corresponding centralization of pressure by the pork-barrel forces; and if a committee which is responsible for only one bill cannot resist these forces, it is unlikely that a committee responsible for a dozen or more bills will be able to do so. Furthermore, the concentration of such large powers in one committee would tend to subordinate congress to the dominion of its two appropriations committees, and thus it would open the door to uncontrolled legislation.

Lump Sum Appropriations Administered by Experts

The experience gained under the river and harbor bills of 1914 and 1915 has led to the notion that the pork-barrel system could be thwarted by a scheme of lump sum appropriations for such purposes as rivers and harbors, special pensions, and federal buildings; these lump appropriations to be applied to specific uses by non-political boards of experts specially constituted for that purpose.

There is one outstanding weakness in this plan, which is that it practically deprives congress—the representative branch of the government—of real control of the expenditure policy of the government. In granting lump sum appropriations congress virtually abdicates its right to criticize, limit, and direct the administration of public funds. If, on the other hand, congress seeks to exercise these powers by granting lump sum appropriations and then attaching conditions limiting their application, nothing will be gained, because the pork-barrel forces will immediately set out to secure the insertion of conditions which will serve their own purposes. Certainly there should be a very grave emergency to warrant sacrificing the principle of the segregated appropriation bill, which after many years of experimentation in public finance has come to be recognized as the only basis for intelligent and constructive action on the part of a legislative body, as well as its most effective means of controlling the executive in the application of appropriations to the purposes designated. All of this would be lost under the lump sum scheme, and the formulation of expenditure policy together with the distribution of appropriations to specific projects would rest in the hands of detached and irresponsible bureaucrats.

The Executive Budget System

When President Taft's commission on economy and efficiency reported in 1912 in favor of an executive budget system, few persons outside of academic walls understood the real purport of the recommendation. But in the seven years that have intervened since that time budget propaganda has penetrated every part of the country, and the budget idea has been taken up by states and municipalities with such avidity that several hundred cities and thirty-nine states have now installed budget systems of greater or less perfection. We may, therefore, omit any discussion of the essentials of a budget system and confine our attention to the budget as a cure for the pork-barrel system.

I think it can be said categorically that the budget system is superior to all other proposed remedies for the pork-barrel system. It strikes at the causes of the pork-barrel system quite as effectively as any, and yet it does not sacrifice any of the valuable features of the present procedure or bring about counterbalancing disadvantages.

The pork-barrel system is, as we have seen, the debauching of certain of the omnibus appropriation bills by the forces of personal ambition and provincialism, aided and abetted by an unmethodical and irresponsible scheme of financial procedure. Under an executive budget these forces of personal ambition and provincialism would be balked, because the budget system would transfer the initiative in appropriation matters from individual members of congress and committees to the executive which is representative of the whole country and cannot possibly derive any advantage from catering to local demands. The business of the executive under the budget system would be to develop an expenditure plan covering all of the activities of the government and predicated upon a work plan. This work plan would have to be properly correlated with the existing state of the public finances, the anticipated revenues, and the needs of the whole country. Local and personal interests would experience great difficulty in finding a place in such a plan because of their inability to convince the executive, which has no local obligations, that their pet projects could be justified from a broad, national standpoint. In most cases it would be a thankless and impossible task to approach the executive on such matters. This in turn would have the effect of safeguarding the omnibus bill against abuse, because the executive, being unable to evade the sole responsibility for the content of such measures, would resist the solicitations of local interests in behalf of unworthy objects of expenditure.

On the other hand, the budget system preserves to congress its rightful and proper control over the financial policies of the country. If the budget is submitted to congress in segregated form, as it should be, congress will be able by criticism and amendment to correct the imperfections of the plan formulated by the executive, and by means of the segregated appropriation act supplemented by adequate accounting and reporting methods will be able to enforce adherence to the plan finally approved by it. At the same time the probability that the pork-barrel forces in congress could marshall sufficient strength to utilize the power of amendment for the benefit of a multitude of unworthy purposes such as now enjoy the largess of the government, is very slight. It would hardly be necessary to place limitations upon the power of congress to increase the budget, as the English system does, because the executive would have a tremendous advantage owing to the fact that the every amendment would have to stand by itself and base its hopes of success or failure upon a fair consideration of its own merits, which is precisely what the petty local projects and purposes strive to avoid. Moreover, the attitude of congress toward appropriation measures would be entirely changed by depriving it of the initiative. Instead of the instinct of a political Santa Claus, it would become possessed of the jealous spirit of a watchdog of the treasury. There is a world of difference between doing a thing yourself and being under the necessity of finding fault with another's discharge of the same duty. In the former case you may be indifferent, unsystematic, careless, and even mercenary; but be that as it may, when you come to judge the other fellow, you are seldom inclined to condone his faults. So it would be with congress. Placed in the position of censor, it would not readily respond to the impulses and motives that now govern its acts; and those who might seek to take advantage of the power of amendment to provide for unworthy local objects would probably find that they had appealed to the wrong court.

ADVANCE DRAFTS

OF PROPOSED PROVISIONS OF A MODEL CONSTITUTION

FOR SUBMISSION TO THE

MOOT STATE CONSTITUTIONAL CONVENTION

To be held at Cleveland December 29–31, 1919, by the National Municipal League

The work of preparing a complete set of provisions for submission to the Moot Convention has been divided among nineteen societies and committees. Seven of the fundamental and most debatable reports are printed here for consideration in advance of the meeting. Look up your authorities, consult history, sharpen your axes and reserve your rooms at the Hotel Statler! And if you are not a member of the National Municipal League, send in your $5.00, for only members may vote at the final session! :: :: :: :: :: :: :: ::

RULES

Rules for Monday, December 29. *General Hearing.* 10 a.m. and 2 p.m.

Presentation and discussion of all proposals. Questions and five-minute speeches from the floor. No voting except such trial votes by show of hands as sponsors of proposals may request for their own guidance. Matters on which no opposition appears may after warning be declared by the chairman to be adopted and will not be put on the calendar for Wednesday.

This session open to all comers. Members of the American Political Science Association and American Historical Association especially welcome. Non-members may speak and vote.

Rules for Wednesday, December 31, 10 a.m. and 2 p.m.

Parliamentary law. If controversy on a given subject is protracted beyond the limits of the time-table, the subject may be transferred to the foot of the calendar by the Chairman and if not reached again will remain undecided. Only members of the National Municipal League may speak and vote at this session.

General Rules.

Proposed amendments to drafts that are presented on Monday must be presented to the appropriate committee *in duplicate* before noon on Tuesday for consideration and to be printed. If presented otherwise on Wednesday, consideration of the text may be ruled out of order. But verbal motions of recommendations to the committee on state government, covering the general intent of the desired changes may be offered.

The current constitution of Nebraska, as a typical American state constitution, has been selected as the basis for the work of all societies and committees, but it is not expected that they will inquire into or deal with local Nebraska problems.

The composite result of the moot convention will undoubtedly be inconsistent and incomplete by reason of the shortness of working time. It will be referred without publication to the committee on state government of the National Municipal League with instructions to draft a model state constitution for presentation as an orderly, fully-considered and self-consistent whole to the next annual meeting of the league.

I

TENTATIVE PROVISIONS COVERING GOVERNOR AND LEGISLATURE

IN PREPARATION BY A COMMITTEE OF THE NATIONAL SHORT BALLOT ORGANIZATION

(Subject to drastic revision before presentation)

[Articles and Section Numbers from *Nebraska Constitution*]

Article II. Section 1—Division of Powers. *Repealed.*

Article III—Legislative. Section 1—Powers of Legislature. The legislative and executive authority of the state shall be vested in the legislature, but the people reserve for themselves power to propose laws and amendments to the constitution and to enact and reject the same at the polls, etc. (For balance *cf.* Initiative and Referendum presented by Popular Government League.)

Section 2—Mid-decennial Census. *Repealed.*

Section 3—Number of Members, Sessions. The legislature shall consist of seventy-four members more or less as hereinafter provided.

The sessions of the legislature shall be biennial or oftener.

Section 4—Legislators, Term of Office, Compensation, Length of Sessions. Members of the legislature shall be elected for the term of four years, but any district may by a petition of fifteen per cent of its qualified voters order an election for its delegation to the legislature to be held on the first Tuesday after the first Monday in November of any year, for a term of four years. (All provisions regarding salaries of members of the legislature, limitation of sessions to sixty days, and time limit on introduction of bills, etc., *repealed.*) Members of the legislature shall receive such compensation as shall be provided by law.

Section 5—Who Not Eligible. Resident qualifications, etc. *Repealed.*

Section 6—Exclusion from legislature of persons holding other offices. *Repealed.*

Section 7—Sessions, commencement, quorum, rules, officers, openings, punishment. The biennial sessions of the legislature shall commence at twelve noon on the first Tuesday in January in the year 1921 and each odd year thereafter; other sessions may be provided by law or may be called by resolution of the legislature, or by the legislative council, or by the signed demand of one third of the members. A majority of the members shall constitute a quorm. The legislature shall determine the rules of its proceedings and shall be the judge of the election, returns and qualifications of its members. No member shall be expelled except by a two-thirds vote of all the members elected to the legislature, and no member shall be twice expelled for the same offence.

Section 9—Amendment of Bills by second house. *Repealed.*

Section 12—Privilege from arrest. *Unchanged.*

Section 13—Members not to hold other office, etc. *Unchanged.*

Section 16—Extra compensation. *Unchanged.*

New Section—Legislative Council. The legislature at the beginning of the session of 1921 and of each biennial session thereafter, shall elect from its own members in the manner hereinafter provided[1] a legislative council of nine members.

New Section—Powers of Legislative Council. The legislative council shall have power to prepare and introduce legislation, to make inquiries with powers of subpoena into matters affecting the general welfare; to appoint and remove the administrative manager; to supervise and direct the work of the administrative manager; to appoint the civil service commission as hereinafter provided.

New Section—The Legislative Council shall be the only committee of the legislature. Any member of the legislature may at any time file a bill with the legislative council, and within fifteen days if the legislature is in session, or within sixty days, if the legislature is not in session, the legislative council shall prepare a report thereon, and such report and the bill shall be printed forthwith and delivered to the members of the legislature. No bill may be introduced in the legislature except by the legislative council, or by a majority vote of the legislature after the legislative council has reported upon it.

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[1] Proportional Representation.

New Section—Governor. The chairman of the legislative council, shall be that member who receives the largest number of first choice votes at the selection of the council, or if there be a tie, the largest number of first and second choice votes, and so on and shall be entitled governor. He shall have no veto or appointive power.

New Section—The legislature shall elect from its own number a presiding officer.

New Section—The Administrative Manager. The legislative council first elected under this constitution shall appoint an administrative manager. The administrative manager shall hold office at the pleasure of the legislative council. He shall be paid at the rate of $10,000 per year until otherwise determined by the legislature. He shall appoint and remove the heads of all state departments, and all commissions and shall be responsible to the legislative council for the execution of the laws, the lawful administration of all state expenditures, the custody of all state property, and maintenance of public order. He shall be commander-in-chief of the naval and military forces of the state, except when they shall be called into the services of the United States, and may call out the same to execute the laws, suppress insurrection and repel invasion.

New Section—Secretary of the Legislature. The legislative council shall appoint the secretary of the legislature who shall appoint and supervise all employees of the legislature, and have charge of all service incidental to the work of legislation.

New Section—No appointment shall be made to any office by the legislature or by any member or members thereof, except as in this constitution expressly provided.

New Section—Auditor of Public Accounts. The legislature shall at the first session under this constitution elect an auditor of public accounts, who shall hold office until recalled by the legislature. The auditor of public accounts shall annually or oftener scrutinize and report on all public accounts of the state and of all counties and municipalities. He may compel testimony under oath and may suspend or veto any state expenditure contemplated or begun, which has not been authorized by the legislature.

All of Article V—Executive department, covering state offices, powers of governor, veto power, bonds, etc., *repealed*, except section 13, pardoning power (Cf. Amer. Judicature Society), and section 19 (a) state railroads commission. Cf. Public Utilities Committee.

AUTHORS' COMMENT ON GOVERNOR AND LEGISLATURE PROPOSALS

This proposal tests the readiness of the National Municipal League to extend logically to state government the principles of unification of powers and complete control by the representative body embodied in its model charter for municipalities—the city-manager plan.

In applying the city-manager plan to a state certain modifications are in order in recognition of the greater part which law-making plays in state government and the diminished relative importance of the administrative establishment. Accordingly the legislature is made reasonably numerous so that all opinions may be surely and adequately represented. So large an assembly, however, could not be expected to deal with administrative detail and would naturally handle such detail through an executive committee which is, therefore, formally legalized—the legislative council. The administrative manager has no legislative function but is simply the head of all the administrative departments, a non-political officer comparable to a city-manager.

The governor in this plan becomes the legislative leader in a position comparable to that of the Prime Minister in the various parliaments of the British Empire. He is the majority floor-leader, the introducer and sponsor of the most important and best prepared legislation, the key man whose position and utterances on political questions of the day are momentous and often decisive. The post is influential without being explicitly powerful, for he must win and continuously retain the approval of the legislative council or administrative projects and the approval of both council and legislature in law-making.

The representative in the legislature formerly subject to the dissent of the other house and the veto of the governor, is here elevated to real dignity. He is discouraged from amateurish bill writing and from the trifling privilege of thrusting his bills, or those that are handed to him, into the legislative hopper. He sits like a member of a grand jury, in review of matters that have had responsible and expert preparation by the experienced legislators of the council in whom he has confidence. Nothing can be done or started without his consent. He must be shown. But he is relieved from the pressure to attempt constructive legislation amid a confusion of committees and thousands of petty bills. He can be a farmer, a laborer, a business man or a housewife without feeling at a disadvantage as compared with the lawyer members. If he wants the state to help his county build a bigger bridge, he will not lobby through a special bill with a guesswork appropriation but will get after his best friend on the legislative council who will ask the manager who will ask the highway department and come back presently with the reply that a certain new state road on the north bank of the river will presently relieve the congestion. He consents or dissents but he does not often create.

The legislature is protected from the perversion of its grants by the power of its separate agent, the auditor, to block unauthorized expenditures.

II

PROPOSED FOR PROPORTIONAL REPRESENTATION FOR LEGISLATURE

BY THE AMERICAN PROPORTIONAL REPRESENTATION LEAGUE

Article III

Sec. 2. [Add the following:] In any apportionment of representatives a definite number shall be selected as the number of inhabitants who shall be entitled to one representative and each representative district shall be assigned a number of representatives equal to the integral number of times that the aforesaid number is contained in the number of inhabitants of the district, excluding Indians not taxed and soldiers and officers of the United States Army and Navy. No apportionment shall be made which shall prescribe less than five representatives for any district.

Until otherwise provided by law, representatives shall be elected from the following districts:

District No. 1. Shall consist of the counties of Cass, Gage, Johnson, Nemaha, Otoe, Pawnee, and Richardson, and be entitled to eight representatives.

District No. 2. Shall consist of the counties of Douglas and Sarpy, and be entitled to eleven representatives.

(Etc. Ten compact districts with 5 to 11 members. Total 74 members.)

Sec. 3. The representatives assigned to each district shall be elected together by the system of proportional representation with the single transferable vote.

Until the Legislature shall provide otherwise, the proportional election of representatives in each district shall be carried out according to the following provisions:

[Insert here the standard rules of the Hare System of Proportional Representation. All nominations by petition. Non-partisan ballot. No primary election. Voter marks 1 for his first choice, 2 for his second choice, etc. If his first-choice candidate does not need this ballot by reason of having the required quota without it, or if his first-choice candidate is found to have no chance of election, the ballot is transferred to his second-choice candidate and so on. —V., publications of American Proportional Representative League, Philadelphia.]

ARTICLE IV

Legislative Council

Section 1. After each election of representatives the newly-elected representatives shall elect a Legislative Council by the system of proportional representation with the single transferable vote under provisions which the Legislature shall prescribe. Until otherwise provided by law, the Legislative Council shall consist of nine members.

Sec. 2. The Legislative Council shall remain in session continuously and shall meet as often as may be necessary to perform its duties. It shall in any case meet at least once in each month except July and August. It shall hold office until its successor is elected, and its members shall continue to be members of the House of Representatives.

Sec. 3. The Legislative Council shall be subject to recall at any time by vote of a majority of all the members of the House of Representatives. Whenever the Legislative Council is recalled, the House of Representatives shall immediately proceed to elect a new Legislative Council. Every member of a recalled Legislative Council shall be eligible for re-election.

Sec. 4. The Legislative Council shall receive proposed measures, hold hearings upon them when requested, consider them carefully, and report them with its recommendations to the House of Representatives. It shall also perform such other duties as may be assigned to it by law. On going out of office it shall transmit all matters not yet disposed of to the newly elected council with or without recommendations.

Sec. 5. The Legislative Council may call a special session of the Legislature at any time.

ARTICLE XIA

Section 5. Every election of a charter convention shall be carried out by the system of proportional representation with the single transferable vote.

ARTICLE XIB

Section 5. The Legislature shall provide by law for the election of the boards of directors of managers of all incorporated companies by the system of proportional representation with the single transferable vote. This section shall not be interpreted as prohibiting voting by proxy or the casting by one person of as many transferable ballots as the number of shares of stock owned by him.

AUTHORS' COMMENT ON PROPORTIONAL REPRESENTATION PROPOSAL

The recommendations of the American Proportional Representation League provide for the proportional election of all representative bodies whose manner of election is prescribed in the constitution. Proportional representation insures the representation of every united group in proportion to the votes cast by it. It thus insures majority rule and minority expression on all important questions.

No recommendations are made in regard to the state senate, on the assumption that its abolition will be proposed by another organization.

The provision, under Section 2 of Article III, that at least five representatives must be elected together from each district is due to the fact that one person cannot usually represent with any degree of accuracy more than a fifth of a district's voters.

The districts recommended are about as large as is consistent with convenience and dispatch in collecting and counting the ballots under the Hare System of Proportional Representation.

The Hare system is prescribed (in Section 3) rather than the list system of proportional representation because it not only gives each party its fair share of the representatives, as does the list system, but also gives the voters of a party perfect freedom to choose their real leaders without machine dictation and gives fair representation even to unorganized groups and independent voters.

The legislature is given power to change the rules—though not the main principles—because improvements in the technique of the Hare system are being made from time to time.

The vacancy and recall provisions are designed to preserve proportional representation. Majority filling of vacancies or majority recall would obviously violate the principle, since each representative is originally elected not by a majority, but by a certain minority.

Article IV, which supercedes an article which has ceased to function, provides for a small representative legislative council to perform the duties of a cabinet and to replace the various undemocratic committees which play so large a part in present legislation.

From a mathematical point of view the most satisfactory form of recall precedure in the case of a proportionally elected representative body is a complete new election as provided in Section 3. This procedure is entirely practical when, as in this case, the number of electors is small.

III

PROPOSAL FOR PROVISIONS GOVERNING LEGISLATIVE PROCEDURE

BY SPECIAL COMMITTEE OF ONE—H. W. DODDS, WESTERN RESERVE UNIVERSITY

Each house shall be the judge of the election, returns and qualifications of its own members, but the legislature may by law vest the trial and determination of contested elections of members in the courts of law, the judgments of which shall be binding upon the legislature.

Comment: Efforts to cure abuses of power by the majority in deciding contested elections by referring the trial and decision to the courts have always been held void as infringements upon the inherent and exclusive powers of each house. The purpose of the section above is to validate efforts to reform the contested elections situation.

Each house shall choose its own officers, determine its own rules of proceeding, punish its members for disorderly conduct and with the concurrence of two-thirds of the members expel a member, but not the second time for the same offense except that a member expelled for corruption shall not thereafter be eligible to membership in either house. Each house shall have power to punish for disorderly behavior in its presence or for the obstruction of its proceedings or of its officers in the execution of their duties. Each house shall have power to compel the attendance and testimony of witnesses and the production of books and papers before committees or otherwise in any matter which may be a proper subject of inquiry by the legislature.

Comment: While the powers in this section have usually been held to inhere without specific grant, of late years the New York courts and others have tended to deny to the houses the inherent right to summon witnesses, punish for contempt, etc., if the constitution is silent on the subject.

A majority of each house shall constitute a quorum but a smaller number may adjourn from day to day and compel the attendance of absent members. Each house shall keep a correct journal of its proceedings and a record of its debates and promptly publish the same from day to day. Action by the legislature shall be void unless the journals show by entries thereon that all requirements of the constitution relating to procedure in passing measures have been observed.

Comment: This provision attempts to enforce upon the legislature observance of the constitutional procedure in passing bills. The act itself would be only prima facie evidence of its passage and silence of the journal could not be presumed to indicate that the constitution had been fulfilled. The record of debates is designed to give the people the full proceedings of the sessions. But three states at present publish full debates. The proposed constitution of New York of 1915 contained the requirement. While the expense is considerable it is important that the legislature's proceedings be given full publicity.

No bill, except the general appropriation bills for the expenses of the government, introduced after the first thirty days of the session, shall become law unless the governor shall have certified by message to the necessity of considering the subject matter embraced in it.

Comment: The purpose, of course, is to secure early introduction of bills. It cannot be attained otherwise because the house is usually ready to grant unanimous consent for the introduction of measures after the prescribed time limit. The exception of general appropriation bills is permissable only in those states which have not provided a budget system.

No law shall be passed except by bill, and no bill, except general appropriation bills or bills adopting or revising a code or digest, shall be passed containing more than one subject, which shall be clearly expressed in the title.

No bill shall become a law until it has been read on three different days in each house, has been printed and upon the desks of the members in final form at least three legislative days prior to final passage, and has received the assent of a majority of the members elected to each branch of the legislature. Introduction and printing fact of same in the journal may be deemed first reading.

Upon the last reading of the bill no amendment shall be allowed and the question of final passage shall be by yeas and nays entered on the journal; provided that the employment of mechanical instruments to record the correct votes of members shall not be construed as contrary to this provision.

The presiding officer of each house shall in the presence of the house over which he presides certify to all measures passed by the legislature. The form of the certificate shall be as follows:

Passed .... day of ...., in accordance with the provisions of the Constitution and the rules of procedure of the (House of Representatives or Senate).

....
(Title of presiding officer).

The fact of signing shall be entered in the journal.

Comment: The purpose of this provision is to fix a certain moral responsibility for the enforcement of rules of procedure whether embodied in the Constitution or not, since the courts will enforce no legal liability.

No local or special bill shall be introduced except by petition, nor unless notice of intention to apply therefor has been published in the locality to be affected thirty days prior to the introduction of the bill in a manner to be prescribed by law. The petition must set forth the scope and object of the bill and why its purpose cannot be accomplished by general law, and must be accompanied by certificate of notice to advise parties, by a draft of the bill, and by complete information for the guidance of the legislature as may be prescribed by law. The committee to which the bill is referred shall, before it reports to the house, hold a public hearing thereon after seven days' notice to the petitioner or petitioners and to adverse parties known to the committee. A committee failing to report the petition to the house within three weeks after reference may be discharged from further consideration thereof with the assent of a majority of the members. Committee hearings upon special and local bills shall be in joint committee of the two houses or in joint session of the appropriate committees of each house, as may be provided by the rules.

COMMENT: The undoubted evils of special legislation have placed in our constitutions detailed restrictions upon the power of the legislature in passing such legislation. These provisions, however, often prevent legislation for certain districts or contingencies which represent special needs. The problem is one of the most difficult with which makers of constitutions have to deal and there is little hope that legislatures will come soon to accept self-denying distinctions between legislation and administration. Special legislation will continue to encumber legislative processes, and it is the intention of the above provision to introduce something approaching a judicial inquiry after the precedent of England and her colonies.

If this procedure is observed the danger of sinister special laws is naturally reduced and the constitution can reasonably allow more latitude concerning local legislation. At present these restrictions are often defeated by the practice of passing special legislation under the form of general law, with the consequent widening of the power of judicial veto. Two or three states have taken steps approaching the English practice.

IV

TENTATIVE PROPOSAL OF PROVISION FOR A BUDGET SYSTEM

BY GOVERNMENTAL RESEARCH CONFERENCE

(Subject to further revision before the Convention)

AUTHORS' COMMENT: Since time did not permit referring this memorandum to the members of the Governmental Research Conference before this publication, it is to be considered only as a tentative basis for discussion. It has been deemed inexpedient to incorporate a complete budget procedure into a constitution inasmuch as the experience of states with such procedure has been incomplete and inconclusive with the result that any detailed proposal must be amenable to frequent change, not possible in fundamental law.

A model budget act, based upon the following constitutional provision, has also been prepared.

The needs of all state departments and agencies, and of other agencies requesting support from the state, for each .... period, shall be ascertained and appropriations therefor recommended by the governor to the legislature not later than the .... day of each regular session. Such recommended appropriations shall be considered by a joint committee of the legislature, and no appropriations, except emergency appropriations recommended by the governor, shall be considered until the appropriation bill proposed by the governor and as amended by the legislature shall be enacted. The legislature shall make no appropriations for any fiscal period in excess of the estimated revenues of the state for that fiscal period. The legislature shall not amend the appropriation bill proposed by the governor, except to increase or decrease the requests of the legislature, to increase the requests of the judiciary, or to decrease other items, unless such amendments are included in a single separate bill, and the total of the combined bills is within the estimated revenues of the state, or the supplementary appropriation bill makes specific provision for the revenues necessary to make it effective. No bill making an appropriation of money, except these two bills, shall contain more than one item of appropriation, and that for one single and certain purpose, to be therein expressed. The legislature, by appropriate legislation, shall make this act effective.

V

PROPOSAL FOR JUDICIARY PROVISIONS

BY AMERICAN JUDICATURE SOCIETY

In drafting a judiciary article for a state constitution there are two dominant principles to be embodied, namely:

1. The Supreme Court (meaning the court of last resort) must be protected in its power to pass finally upon the constitutionality of acts of the legislature.

2. The constitution must recognize the necessity for unifying all the courts of the state in a single judicial organization, hereinafter called the General Court of Judicature.

Taking up the first of these requirements it may be observed that the power of the State Supreme Court to pass upon the constitutionality of acts of the legislature exists in every state and must be accepted as a settled doctrine of our form of government. This prerogative is protected by fixing in the constitution the organization of the Supreme Court, its jurisdiction, the mode of selection and retirement, the tenure and salaries of its judges.

(a) *The number of judges:*

The constitution should prescribe the number of judges in the Supreme Court. This prevents the packing of the court by an increase in the number by the legislature. The number can be any odd number from three to seven. The following draft assumes seven as a number convenient to the needs of most states.

(b) *The jurisdiction of the court:*

The most important point here is the protection of the court's jurisdiction over all causes involving the validity of an act of the legislature, or the construction of the Constitution, or the invalidity of the acts of any officer or department of government by reason of any prohibition of the Constitution.

At present it is usual to force an appellate jurisdiction upon the Supreme Court in special classes of cases such as criminal cases, or cases in which a franchise or freehold is involved. It is one thing, however, to *protect* the Supreme Court in its jurisdiction and quite another thing to *force* jurisdiction upon it so that in any class of cases specified every litigant has a right to go on to the Supreme Court. It would seem sufficient if the Constitution conferred upon the Supreme Court all appellate jurisdiction and then provided that (except in cases where the validity of an act of the legislature, or the construction or application of the Constitution was involved) the Supreme Court might limit the exercise of such jurisdiction as in its discretion it determined by general rules entered upon its records. This would enable the court fully to take care of the situation where an intermediate Appellate Court was created and where it was desired that its judgment be final, unless the intermediate Appellate Court certified the case up for a decision by the Supreme Court or the latter required the case to be sent up by a writ of certiorari.

On the other hand, it is not desirable to give any court the unrestricted power to refuse jurisdiction. Hence any limitation upon the exercise of jurisdiction by the Supreme Court should be subject at all times to be repealed wholly or in part by the legislature.

The constitutional provisions are drafted in accordance with these views.

(c) *Mode of selecting and retiring judges of the Supreme Court:*

It is necessary that this be settled by the constitution. What provisions shall be made depends upon what conclusion is reached in regard to the selection and retirement of judges generally.

(d) *Salary:*

So far as associate justices of the Supreme Court are concerned, it is only necessary to fix their salary subject to be changed by the legislature, but not to be diminished during the continuance of the associate justices in office. With regard to the Chief Justice, his salary should be fixed subject to be changed by the legislature, but not diminished or increased during his term of office.

THE UNIFIED STATE COURT

The most valid objection to existing state constitutions, from the standpoint of the administration of justice, is that they provide a general scheme of inferior courts and place this scheme beyond the power of the legislature to alter to any material extent. This has been done largely through adherence to custom. The only claim which can be made for the plan is that it promotes uniformity, but in a number of states it has not prevented the spawning of numerous inferior special courts. North Carolina, for instance, has over 100 special municipal courts, Wisconsin has 32, and many other states have found it necessary to depart from the uniformity which their constitutions contemplated.

The present need is seen to be not mere uniformity, but unification of all the courts of the state, in a single administrative system. Any judiciary article drafted at this time must recognize this insistent need, either by providing directly for a General Court of Judicature, embracing all the judicial units of the state in a unified system, or by leaving the subject in the hands of the legislature for subsequent action.

If the constitution makers accept the plan of a unified court the most convenient way is to submit such a plan as a schedule to the constitution, and this draft is adapted to such a decision.

The tying of the hands of the legislature has held back for a generation many needed improvements and experiments in the organization of our courts, the methods of handling judicial business and methods of selecting and retiring the judges. In spite of great changes in the social structure and the increasing demands upon the courts, nothing substantial could be done to improve the judicial machine. While the amendment or revision of the Constitution has waited, the administration of justice and the efficiency of the courts has declined.

It is believed that a desirable uniformity in the organization of our courts may be obtained without placing the subject-matter of the organization of the inferior courts beyond the power of the legislature. If at the time the Constitution takes effect there should come into operation along with it a complete scheme for a unified court for the entire state, then a desirable uniformity will be secured by reason of the fact that the needs of the state will have been met in a complete and comprehensive way. It is believed that the fact that such a scheme is fully subject to the power of the legislature, so far as the inferior courts are concerned, will not in the long run militate against the uniformity achieved by the comprehensive plan.

Pursuant to these views the draft is to be supplemented, as a schedule of legislation, by an act providing for the establishment of a General Court of Judicature for the entire State. By this means there is provided a complete system of courts for the State and only that part of the plan which relates to the essential features of the Supreme Court is placed beyond the power of the legislature.

The General Court of Judicature is briefly described as a judicial system embracing all the judges of the state, created for the purpose of unifying administrative control. It has three grand divisions:

(a) The Court of Appeal. In this division all judges exercising appellate jurisdiction are organized to permit of a unitary administration of the appellate function. In states populous enough to have intermediate appellate courts it combines the judges of these courts with the Supreme Court justices. The justices of the Court of Appeal are to sit in divisions and the Supreme Court, with its special prerogative, is a fixed division of the Court of Appeal.

(b) The Superior Court. This is the trial court of general jurisdiction. It is to have, in all but the smaller states, several territorial divisions, each with its presiding judge.

(c) The County Courts. In each county there is to be a county judge with limited jurisdiction in civil and criminal matters, and administrative control of local magistrates.

The General Court of Judicature is to be managed by its Judicial Council, composed of the Chief Justice of the State, as the chief executive officer of the General Court, one or more representatives of the Court of Appeal, the Presiding Judges of the Superior Court and the Presiding Judge of the County Court. The Judicial Council is given large rule-making and administrative powers by the act which creates it.

The draft judicature act, with full explanatory notes, has been published as Bulletin VII–A by the American Judicature Society, 31 West Lake street, Chicago.

Article ......

JUDICIAL DEPARTMENT

Section 1. The judicial power vested in a Supreme Court and inferior courts) The Judicial power of the State shall be vested in

1. One Supreme Court, and

2. In such inferior courts or other authorities[1] as the legislature may from time to time ordain and establish;

3. Provided, however, that the legislature shall have power and authority to place the judicial power of the State in a single General Court of Judicature, in which the Supreme Court.

   a. Shall be a division of the Court of Appeal, and

   b. Shall have all the power and authority, and shall be organized and constituted, as is by this Constitution provided for the Supreme Court.

Sec. 2. Jurisdiction of the Supreme Court) The Supreme Court shall have original (but not exclusive) jurisdiction in all cases

1. Relating to the revenue;
2. In quo warranto;
3. Prohibition;
4. Mandamus;
5. Certiorari;
6. Injunction;
7. Habeas Corpus, and
8. Other original remedial writs, and in
9. All causes involving the validity of an act of the legislature or the construction and application of the Constitution; and
10. Shall assume and exercise the same in its discretion, or as it shall by rules of general application prescribe and enter upon its records.

Sec. 3. Appellate jurisdiction of the Supreme Court) The Supreme Court shall have appellate jurisdiction

1. In all cases, and

2. (Except in cases involving the validity of an act of the legislature or the construction and

application of the Constitution) shall assume and exercise such appellate jurisdiction, according to such rules of general application, as it shall in its discretion prescribe and enter upon its records:

3. Provided, however, that any limitation upon the exercise of its appellate jurisdiction shall be subject to be repealed wholly or in part by act of the legislature.

Sec. 4. Original jurisdiction incidental to appellate jurisdiction) For all the purposes of and incidental to

1. The exercise of any appellate jurisdiction by the Supreme Court, and

2. The amendment, execution and enforcement of any judgment or order made upon the exercise of any such appellate jurisdiction, and

3. For the purposes of every other authority given to the Supreme Court by this Constitution or any act of the Legislature the said Supreme Court shall

   1. Have all the power, authority and jurisdiction vested in any inferior court, and
   2. Exercise the same according to such rules of general application as it shall in its discretion prescribe and enter upon its records.

Sec. 5. Judges of the Supreme Court. The Supreme Court shall consist of

1. A Chief Justice, and

2. Six associate justices (except as hereinafter provided).

3. Four shall constitute a quorum, and

4. The concurrence of four shall be necessary to every decision.

5. Provided, however, that whenever the validity of an act of the legislature or the construction and application of the Constitution shall be in question the concurrence of five shall be necessary to a decision.

Sec. 6. Who eligible to be a judge of the Supreme Court) Except as hereinafter provided, no person shall be eligible for the office of Chief Justice or associate justice of the Supreme Court.

1. Unless on the day of election, or appointment, as the case may be, he shall be
   - a. At least thirty-five years of age, and
   - b. Not over sixty-five years of age, and
   - c. A citizen of the United States.
2. Nor unless he shall have
   - a. Resided in the State for ten years, and
   - b. Been during that time engaged either
     - (1) In active practice at the bar, or
     - (2) In discharge of the duties of a judge of a court of general jurisdiction, or
     - (3) In one of said occupations a portion or portions of such time, and in the other the remaining portion or portions of such time.

Sec. 7. Election of Chief Justice) At the time of voting on the adoption of the Constitution the Chief Justice shall be elected by the electors of the State.

Sec. 8. Who eligible) All members of the Supreme Court at the time of such election, and all persons fulfilling the requirement set forth in Section six of this article shall be eligible to such election to the office of Chief Justice.

Sec. 9. Office of associate justice of the Supreme Court to cease in case one of the present justices of the Supreme Court is elected Chief Justice) If one of the members of the Supreme Court at the time of such election shall be elected Chief Justice and shall enter upon the office of Chief Justice, his office as associate justice of the Supreme Court under the provisions of this Constitution shall cease and determine.

Sec. 10. Term of office of the Chief Justice) The Chief Justice elected at the time of the adoption of this Constitution shall hold his office until his successor shall be elected and qualify. Thereafter the term of office of the Chief Justice shall be four years.[2]

Sec. 11. Time of subsequent elections of Chief Justice) The second election of Chief Justice shall be held upon the Tuesday next after the first Monday in November, 19.., and a new election shall be held on the Tuesday after the first Monday of November every .... years thereafter.

Sec. 12. Nomination and election of Chief Justice) Until otherwise provided by the legislature, or by any schedule of legislation attached to this Constitution and adopted with it, the Chief Justice shall be nominated and elected, as nearly as may be, in the manner provided for the nomination and election of governor.

Sec. 13. Special election of Chief Justice) If the office of Chief Justice shall become vacant during any term hereinbefore specified and more than one year prior to the expiration of said term, then

1. A special election shall be held to fill the office of Chief Justice during the remainder of the unexpired term.

2. Until the legislature shall otherwise prescribe,

a. The time for holding such special election shall be determined by the proclamation of the governor of the State, filed with the secretary of state not less than sixty days after the time when such office of Chief Justice shall become vacant, and

b. Nominations for the office of Chief Justice at such special election and the mode of conducting the same shall be in accordance, as nearly as may be, with the laws in force for the nomination and election of Chief Justice.

Sec. 14. Special powers given to legislature) The legislature shall have powers to provide:

1. That any Chief Justice who shall not succeed himself as Chief Justice at the expiration of any term hereinbefore specified (whether he shall have served the full term or any remainder of an unexpired term and whether he shall have been a candidate for re-election or not) may, by so expressing his intention in writing to his successor as Chief Justice, within thirty days after the election, continue to be a judge upon the same terms as to tenure, removal and retirement from office as associate justices of the Supreme Court; and

2. That such ex-Chief Justice may be assigned by his successor in the office of Chief Justice to perform judicial duties

a. In the Supreme Court in place of any member thereof absent through illness or for any other cause, or

b. In any other court having appellate jurisdiction, or

c. In any court having a general jurisdiction at law and in equity, or

d. In any division thereof.

3. That any Chief Justice for the time being may assign any judge of any court having appellate jurisdiction, other than the Supreme Court, or any judge of any court having general original jurisdiction at law and in equity, to perform judicial duties in the Supreme Court in place of any member thereof absent through illness or for any other cause.

Sec. 15. First associate justices of the Supreme Court and term of office) The first associate justices of the Supreme Court [meaning thereby the highest appellate tribunal of the state] at the time when this Constitution takes effect, other than such one, if any, as may be elected and enter upon the office of Chief Justice. The term of office of each of said associate justices shall be the same as it was before the taking effect of this Constitution and shall expire on the day when the same would have expired, according to law, before the taking effect of this Constitution.

Sec. 16. Filling vacancies among associate justices) When the office of associate justice of the Supreme Court shall become vacant it shall be filled by the appointment of the governor by and with the consent of the senate and the justice so appointed shall hold office until retired in the manner herein provided.

Sec. 17. Vacancies—when deemed to exist) No vacancies shall be deemed to exist among the associate justices of the Supreme Court until the number thereof shall have fallen below six.

Sec. 18. Salaries of Chief Justice and associate justices) From and after the adoption of this Constitution the Chief Justice shall receive a compensation of .... dollars per annum, and each associate justice of the Supreme Court a compensation of .... dollars per annum, payable monthly, until otherwise provided by law. Provided, however, that the compensation paid to any associate justice of the Supreme Court while in office shall not be diminished during his continuance in office. And provided, also, that the salary of the Chief Justice shall not be increased or diminished during any term for which he shall have been elected.

Sec. 19. Impeachment) Any judge may be removed from office by impeachment in the manner provided in or authorized by this Constitution for impeachment.

Sec. 20. Legislative retirement) The general assembly may, for cause entered upon its journals, upon due notice given and opportunity for defense, remove from office any judge upon the concurrence of two-thirds of all the members elected to each house.

Sec. 21. Retirement of associate justices by popular vote[1]—submission of names to the electorate. At every election (whether regular or special) at which a chief justice shall be elected, there shall be submitted to the electors of the state:

1. The names of all judges of the Supreme Court who have held office continuously for at least three years and whose names have not been submitted to the electors under the provision of this section since their appointment;

2. The names of all judges of the Supreme Court who have held office continuously for at

least nine years and whose names have been once only submitted to the electors under the provisions of this section; and

3. The names of all judges of the Supreme Court who have held office continuously for at least eighteen years and whose names have been twice, and twice only submitted to the electors under the provisions of this section.

Sec. 22. Requirements as to ballots. The ballot upon which the names of judges are submitted as aforesaid,

1. Shall be separate from the ballot used in the election of the Chief Justice, and

2. Shall present to the electors the names of the judges submitted

a. In three groups, in the order following:

(1) Those whose names have been submitted twice and twice only and who have served as judges continuously for at least eighteen years;

(2) Those whose names have been submitted once only and who have served as judges continuously for at least nine years;

(3) Those whose names have never been submitted to the electors and who have served at least three years.

b. In each group the names of the judges shall appear in the order of seniority of service. Those who have served the longest shall be placed first. If two or more judges whose names appear have served the same length of time their names shall appear in alphabetical order, those having a surname beginning with the earlier letters of the alphabet being placed first.

c. As to each judge in each group the ballot shall present the question, "Shall he be continued in office?" Following the question shall be the words, "Yes" and "No" on separate lines, with a blank space at the right of each in which the voter shall indicate by marking a cross (X) his vote for or against the retirement of each judge.

Sec. 23. Vote required for retirement of judge) Whenever a number of voters equal to a majority of all those voting at such judicial election for the office of Chief Justice shall vote "No" with respect to any judge whose name is so submitted, such judge shall be retired and his office declared vacant. Otherwise the incumbent shall continue in office, under the terms of the Constitution. Provided, however, that no such judge shall be retired if the number of those voting "Yes" with respect to his continuance in office shall be as great as or exceed the number of those voting "No."

Sec. 24. Power of legislature over retirement election) In other respects the judicial ballot and manner of conducting the judicial election shall be such as the legislature may prescribe.

Sec. 25. System of inferior courts) If upon the adoption of this Constitution there shall be adopted also the schedule hereto attached and entitled "An Act to Create the General Court of Judicature and to Provide for the Practice and Procedure Therein," then until otherwise provided by the legislature in a manner not inconsistent with any of the provisions of this Constitution, the judicial power of the State shall be vested in and exercised by the system of courts provided for in said schedule.

If, however, the said schedule is not so adopted, then until otherwise provided by the legislature in a manner not inconsistent with any of the provisions of this Constitution, the judicial power shall be vested in and exercised by the system of courts inferior to the Supreme Court, provided by law at the time of the taking effect of this Constitution [or amendment to the Constitution].

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[1] The object of the words, "or other authorities" is to enable the legislature to vest some judicial power in tribunals and officers that are not called courts or constituted on the whole like courts and thus avoid the defeat of acts establishing commissions because some small portion of judicial authority is given to them. Of course if judicial power is given to any tribunal or officer not a court, that power must be exercised as courts exercise it or any action predicated upon the exercise of such power would not be due process of law.

[2] The office of Chief Justice is made elective for the term provided because under the proposed state judicature act which these constitutional provisions contemplate, the Chief Justice is to have considerable power as the head of the judicial system of the whole state to appoint and fill vacancies among the judges of the courts of inferior jurisdiction.

[3] Sections 21–24 embody all the popular control of judges which is involved in the present plan of electing judges for terms of years. In a large part of the country no plan of selection by appointment would be considered at all without some method of retirement of judges by popular vote.

The method embodied in this draft is equally applicable to the case of the appointed judge and the elected judge. It avoids a strong objection to the usual method of retiring judges by elections, which obliges such judges to run against competing candidates at the end of their terms, and which too often results in thrusting them out of office as the result of a political upheaval caused by national, state or local issues which have nothing to do with the judge's record in office.

VI

OUTLINE OF PROPOSAL FOR INITIATIVE AND REFERENDUM

BY NATIONAL POPULAR GOVERNMENT LEAGUE

Initiative

To apply to both statutes and constitutional amendments. Direct Initiative on petition of 30,000 voters at large. Indirect Initiative on petition of 15,000 voters at large.

Referendum

All legislative acts to take effect 90 days after session adjourns. Petition of 15,000 voters refers law but does not suspend. Petition of 30,000 voters refers law and suspends operation.

Emergency

Two-thirds vote of legislature puts law into immediate operation but does not inhibit referendum. Franchises, etc., specifically exempt from emergency legislation.

General Provisions

Elections. All measures submitted at general elections.

Except that legislature may order special election or governor may order special election in case of urgency or great importance. Voters may order special election on petition of 50,000 on any emergency measure or 75,000 on an initiative.

Ballot Title. May be prepared by petitioners; must be approved by attorney general; subject to court review. Measures submitted by such title.

Petitions. Registered voters only may sign. Genuineness established by affidavit of solicitor. Sufficiency by the secretary of state. If enjoined burden of proof on objector. Supreme court has original jurisdiction and delayed decision does not keep question off ballot.

Majority. All measures decided by the vote cast thereon.

Conflicts. If two conflicting laws are adopted at same election the one having highest affirmative vote becomes law.

Amendment or Repeal by the Legislature. Requires two-thirds vote of legislature on roll-call to repeal or amend a statute enacted by people at polls.

Corrupt Practices. Requires stringent laws against forgery or other corrupt practices either by citizens, or by state officials who fail to observe constitution.

Veto. Governor's veto power does not extend to laws enacted by vote of people.

Publicity. State publicity pamphlet to be mailed voters containing text of measures and arguments for and against each.

Self-Executing. Legislature to supply enabling act, but amendment self-executing notwithstanding.

Local for Cities and Counties. Initiative and Referendum power to be also reserved to the voters of all municipalities and all political sub-divisions of the state which have legislative bodies.

AUTHORS' COMMENT ON INITIATIVE AND REFERENDUM PROPOSAL

Exponents of the short constitution, will object that too much legislative material is included in the outlines of Initiative and Referendum and recall constitutional provisions presented. Theoretically the objection is sound; in practice it has failed. Legislatures have been notoriously hostile to these instruments and have enacted and attempted to enact restrictions rendering them practically worthless. The demand for the initiative, referendum and recall arose out of the mis-representative character of legislative bodies. This remedy professes to give the voters an independent channel of action. In all essential elements, therefore, the channel must be made independent of obstruction by the misrepresentatives it seeks to circumvent. What those elements are experience has demonstrated. They must be made safe from courts as well as legislators. Minor matters may be left to lawmakers.

VII

PROPOSAL RELATING TO STATE, COUNTY, AND MUNICIPAL INDEBTEDNESS

BY SPECIAL COMMITTEE OF ONE. A. N. HOLCOMBE, HARVARD UNIVERSITY

Article XII. Sec. 1 of present Nebraska constitution. *Repeal.*

Substitute section:

"The state may contract debts in anticipation of the receipt of taxes and revenues, direct or indirect, for the purposes and within the amounts of appropriations theretofore made; bonds or other obligations for the money so borrowed shall be issued as may be provided by law, and shall with the interest thereon be paid from such taxes and revenues within one year from the date of issue.

"The state may also contract debts to repel invasion, suppress insurrection, or defend the state in war; but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

"No other debt shall be contracted by or in behalf of this state, unless such debt shall be authorized by law, for some single work or object, to be distinctly specified therein. On the final passage of such bill in either house of the legislature, the question shall be taken by yeas and nays, to be duly entered on the journals thereof, and shall be: 'Shall this bill pass and ought the same to receive the sanction of the people?' No such law shall take effect until it shall have been submitted to the people, and have received a majority of all the votes cast for or against it at such election.

"Any debt or portion thereof contracted by the state, pursuant to an authorization by such a law, shall be paid in equal annual instalments, the first of which shall be payable not more than one year, and the last of which shall be payable not more than fifty years, after such debt or portion thereof shall have been contracted. No such debt shall be contracted for a period longer than that of the probable life of the work or object for which the debt is to be contracted. The money arising from the contracting of such debt shall be applied to the work or object specified in the act authorizing the debt, or to repay such debt, and to no other purpose whatever.

"The legislature shall provide by appropriation for the payment of the interest upon and instalments of the principal of all debts created on behalf of the state, except those created in anticipation of the receipt of taxes and revenues, as the same shall fall due. If at any time the legislature shall fail to make any such appropriation, the treasurer shall set apart from the first revenues thereafter received, applicable to the general fund of the state, a sum sufficient to pay such interest, or instalments of principal, as the case may be, and shall so apply the moneys thus set apart. The treasurer may be required to set aside and apply such revenues as aforesaid, at the suit of any holder of such bonds."

Sections 2 and 3 of Article XII refer respectively to donations to any railroad or other work of internal improvement, by a city, county, town, precinct, municipality, or other subdivision of the state, and to the giving or loaning of the credit of the state to any individual, association, or corporation.

I propose that these two sections stand without amendment.

AUTHORS' COMMENT ON INDEBTEDNESS PROPOSAL

The principal changes which the proposed amendment would effect are the following:

1. The abolition of the limit on the amount of floating indebtedness.
2. The establishment of a limit on the time in which floating indebtedness, except that incurred to repel invasion, etc., shall be paid.
3. Substitution of a method for authorizing funded debts by popular vote upon a referendum in lieu of the present practice which permits the creation of such debts only by the process of constitutional amendment.
4. Adoption of the requirement that funded debts shall be created only by the issue of serial bonds.
5. Prevention of the issue of long-term bonds to pay for short-lived improvements.
6. Provision of a procedure by which bond-holders may secure payment of obligations in the event of failure by the legislature to make proper provision therefor.

In considering the provision of the constitution relating to debt limitations it is necessary to take account of possible changes in other provisions of the constitution. For example, the establishment of a budgetary system will provide another means of dealing with floating indebtedness which presumably will render the maintenance of the fixed limit on such indebtedness as under the present constitution no longer necessary. The adoption of a simpler process of amending the constitution of the state, also the direct popular initiative and the referendum, affect the operation of any system of debt limitation such as that existing in Nebraska. There is not the same reason for fixing a definite limit in the constitution intended to bind the legislature when a majority of the people can disregard the limit without consulting the legislature and can veto any action which the legislature itself might take.

The proposed amendment, therefore, is intended to eliminate those provisions of the Nebraska constitution relating to debt limitations which have lost much of their original practical importance and to bring the system of debt limitations into harmony with modern conditions of public finance. The proposed amendment follows closely, though not exactly, that portion of the amendment of the constitution of New York State relating to debt limitations proposed by the Constitutional Convention of 1915, but unfortunately rejected by the people of the state. It is not necessary to argue at length for the use of serial bonds instead of reliance upon a sinking fund for the eventual extinction of a debt. The use of serial bonds is both simpler and cheaper than the sinking fund method. The adjustment of the term of the bond to the probable life of the improvement to be financed by the bond issue has been tried in municipal finance and is approved by most students of the subject.

There remains unprovided for the special case of debt created in order to finance revenue-producing improvements or public utilities which would be operated upon a self-sustaining basis. Such schemes, however, should be judged each on its own merits rather than disposed of under any general rule, and the present method of constitutional amendment in Nebraska puts no great difficulties in the way of the adoption of such schemes when approved by public opinion. It does not seem necessary, therefore, to make special provision for them in the constitution.

VIII

PROPOSALS FOR MUNICIPAL CORPORATION PROVISIONS

BY COMMITTEE ON MUNICIPAL PROGRAM, NATIONAL MUNICIPAL LEAGUE

This committee will submit the provisions for Municipal home rule prepared in 1914 and 1915 and accepted by the annual meeting of the National Municipal League in Dayton, November, 1915. The text of these provisions may be found in "A New Municipal Program" in the National Municipal League series: D. Appleton & Co.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

What Happened to Europe. By Frank A Vanderlip. New York: The Macmillan Company, 1919. Pp. xviii and 118.

Three months in Europe in the early part of 1919, spent in first-hand study of the conditions existing on that war-swept continent, and in meeting and talking with hundreds of influential people, including statesmen, diplomats, bankers, captains of industry, and labor leaders, could not but leave many impressions and conclusions of general interest in the mind of so well equipped a man as Mr. Vanderlip. This is the justification for the present book, which the author characterizes as "the sort of talk I might give to a friend who cared for my impressions if there were the opportunity to converse at sufficient length." All the internal evidence of the book—calm, artless, photographic, and sincere as it is—carries the weight of authority, and leaves with the reader a definite picture of what the war has done to Europe, not so much on the side of human and physical devastation, but in the chaos that exists, the staggering load weighted on the backs of the people, and the all but insoluble social and economic problems that must be mastered if the wheels of human progress and material tranquility are ever to move smoothly again.

Mr. Vanderlip believes that something more far-reaching and more disastrous than mere bankruptcy has happened—namely, the utter disorganization and paralysis of industrial production. First of all, domestic transportation has broken down. Raw materials cannot be moved to factories. But if they could, the military embargo continues, and raw materials cannot be shipped. And if the embargo were lifted, there is the utter insufficiency of ocean transportation. But even if tonnage were obtainable, there are the difficulties of exchange, the practical impossibility of credit, and the tedious hazard of obtaining an import license. Supposing, however, that a manufacturer could surmount all of these obstacles, he would still have the problems of fuel and labor to meet; the former cannot be obtained or transported in sufficient quantities, and the wage scale for the latter is two or three times what it was before the war. On top of all this there is not only the question of markets that are disorganized, but also in the matter of distribution all the problems of transportation and credits that were involved in obtaining raw materials. This, as Mr. Vanderlip shows, is a general indication of the condition of industry in Europe to-day—a condition with production at its minimum and a vital need at its maximum.

Mr. Vanderlip takes up in separate chapters the problems of transportation, currency, credit, and labor. Little more than a hint can be given here of the state of disorganization he describes. Transportation is so thoroughly broken down that, even if the ports of Europe are amply supplied with food, it will be impossible, he predicts, to prevent another horror of starvation in the spring and summer of 1920. The chaos of currencies he characterizes as enough to make Europe seem like an economic madhouse. Outstanding British government notes amount to one and a half billion dollars, against which there is a gold reserve of only 140 millions. The circulating notes of the bank of France have leaped from 6 billion francs to 34 billion francs; they are at present irredeemable, and all gold has disappeared from circulation. The fiat currency of Italy and Belgium is quite as staggering. But the currency situation in these four countries, Mr. Vanderlip claims, is simplicity itself compared with that of some of the nations on the eastern front, where, as in Poland, there is "a conglomeration of notes more intricate than anything Mr. Paderewski had ever tried to play."

Of international credit Mr. Vanderlip says that credit is so delicate a thing that it is dangerous even to talk about it; yet, he asserts, there is not a credit in Europe to-day that does not need to be weighed and its chance of payment carefully appraised. But, hazardous as this situation is, he maintains that America cannot keep aloof from this problem without endangering the fabric of civilization there, since there is no political safety in Europe anywhere so long as there is left any country unable to command a sufficient amount of credit at least to make the beginning of an attempt to restart its idle industries.

The labor situation Mr. Vanderlip describes as nothing short of chaos. The path out of this wilderness he commends to American as well as to European employers, and he quotes at length an English "employer of first importance" who lays down as the "five great principles that we must accept," (1) a minimum wage that is really a minimum and not a general wage scale, (2) better working hours, (3) security against unemployment, (4) a larger control of industry by the workers, and (5) a profit-sharing interest for labor.

Mr. Vanderlip weaves into the pattern many lesser difficulties until one begins to wonder whether a more hopeless situation could be imagined. Yet with all the desperate tangles to be unknotted he holds the conviction that it is not hopeless. What happened to Europe is a thing pregnant with responsibility and opportunity for America, even though at present we can have little more than a suggestion of its possibilities. The future of Europe, he asserts, is going to be largely shaped by the wisdom or the lack of wisdom that we in America show in our grasp of European affairs, in the way we seize our world opportunities, and in the sincerity with which we discharge our world obligations and render service where service is due.

The premier capitalist nation, richest in raw materials, practically self-sustaining, with almost limitless agricultural capacity, less disorganized in industry and transportation by the war than any other great nation, America must be the mainstay that supports Europe until that continent can again support itself. How well we play our part, Mr. Vanderlip believes, depends on the degree of wisdom we show in our grasp of European affairs, on our understanding of economic law, on our awakeness to social injustices, and vitally on our adjustment of the relationship of capital and labor; for in the end, he says, the prosperity of a people depends on their capacity for production, which must always be interfered with when workmen are discontented.

Half our ills, he declares, are due to ignorance of economies, and the other half as surely to bad government. The crime of all crimes, involving harm to more innocent people than any other in the whole category of human frailty, is the crime of abusing the privilege to serve. The climax of Mr. Vanderlip's book is in this stirring indictment of bad government as the fundamental cause of all the blood, and tears, and destruction, and desolation that have swept back and forth over agonized Europe for four years. If the nations had been well governed—if wise democratic leaders, instead of autocratic rulers, had been at the head of the peoples of Europe, it never would have happened. And what is going to happen in the next few years—whether the fabric of peace, prosperity, and contentment will be rewoven, or whether famine, desperation, and revolution will follow in the wake of war—depends on whether governments are good or bad. The ills of America Mr. Vanderlip lays at the same door of bad government. Our future status also depends on the quality of our government. If enough Americans could see the endless consequences of sorrow and injustice flowing from the acts of men who fail to recognize the solemnity of a public trust, then Mr. Vanderlip is sure that America could take her true place in world leadership.

Russell Ramsey.

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Americanization. By Carol Aronovici, Ph.D. St. Paul: Keller Publishing Company, 1919. Pp. 47.

Would that the great army of Americanizers, many of whom are taking up their task without training, program, definition, or any other essential except enthusiasm, could read and inwardly digest this sane and scholarly little book! One might almost hope that every one who undertakes this task might have to pass a thorough examination on it before being permitted even to make speeches on the subject, for there is no movement more in danger of being injured in the house of its friends than is that to convert our recently arrived fellow citizens into what we call Americans.

The author modestly says that: "Its main value lies in the fact that it represents a point of view developed through two decades of self-Americanization and of more than a decade of modest effort in the promotion of movements for the Americanization of others." He might have added that it is characterized by a disposition to substitute information for enthusiasm and well reasoned principles for hysteria. There is scarcely an aspect of the movement on which he does not touch to clear it of obscurity and to reduce it to its fair proportion in its relation to other forces and conditions.

THE STREET SURFACE RAILWAY FRANCHISES OF NEW YORK CITY. By Harry James Carman, Ph.D. Columbia University, Longmans Green and Co., Agents, 1919. 259 p. Paper cover. $2.00.

In view of the concerted clamour by the street railway interests throughout the country for higher fares and the sympathetic hearing that has been accorded them in most cases by state utilities commissions, this volume is timely in its presentation, and of peculiar interest and value to the student of public service utility problems of the country. While most of us know in a general way of the graft and scandal that have attended the granting of public service franchises, few realize the extent in time, and the generally prevalent practice of the "art" in the grants of the street railway franchises in New York city.

The first street railway franchise in New York city was granted in 1831 for a term of thirty years. The grant was from the state legislature with the provision that, in case the city streets were used for any part of the line contemplated, the consent of the city authorities would be required.

In New York city, as apparently in most cities of the country, the first street railway franchise grants were much more in the public interest than the later grants after their value became "appreciated" by the "promoters." The author shows that the public interest was fairly well conserved until the period from 1860 to 1897. During this later period, grants were given in perpetuity with little regard to conserving the public interest. There was always more or less conflict between the local city authorities and the state legislature. At one time the state legislature took the franchise granting power, or approval, almost wholly away from the local authorities.

The author treats the subject in different periods, giving the principle dominating features and the main controlling elements in each.

Many reference notes are given throughout indicating the sources from which the information was derived.

An outstanding feature as shown, in reading the work, is the large number of franchise grants, more or less vicious in their nature, which were vetoed by the mayors of the city and the governors of the state and passed by the aldermen or the legislators over these vetoes at different times.

The actual proved and the almost unquestioned suspicion of the improper use of money to secure franchise grants, are some of the notable features shown in the history.

In the light of what has gone before and the present predicament of higher fares and generally inadequate service in street railway transportation, we are constrained to enquire if there is not something radically wrong with the system that has been followed, up to the present.

The volume presented by the author shows a great deal of patient and painstaking effort in looking up and compiling the facts presented. He has given the matter in simple narrative form with here and there some pertinent comment. In addition to the many reference notes given throughout the text, there are five full pages embodied in the bibliography covering: I Bibliographies; II Cases; III Laws; IV Documents; V Newspapers; VI Magazines; VII Pamphlets; and VIII Secondary works.

The index covers four and one half double-columned pages and appears to be fairly complete.

The work should commend itself to every student of government and economics. It should materially assist the citizen of New York City in getting a better grasp of the problem of honest and efficient municipal government as affected by franchise grants to private interests, and it should also inspire and aid him to become a more active and effective factor in working out the City's problems in the interest of the common good.

CHARLES K. MOHLER.

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EFFICIENT RAILWAY OPERATION. By Henry S. Haines. New York: The Macmillan Company, 1919. Pp. xiii, 709.

This volume is a rather curious combination of good and bad, interesting and uninteresting. Its title is over-ambitious, for the author discusses railway efficiency in certain chapters only, while the added chapter on war transportation is not directly related to the main subject, although interesting in itself. The author prides himself on up-to-date and accurate statistics, but his material falls short in both respects. It is far from up-to-date, and the tables contain errors, besides being poorly arranged. Arrangement of text material at times leaves something to be desired, and space could be saved through rearrangement and condensation. Mr. Haines makes many suggestions of value, although railway men will be inclined to take issue with his proposal that boards of directors be placed in charge of rate and labor matters. In his historical treatment of mechanical and engineering progress the author is at his best. Had he confined himself to that field, he would have produced a volume of much greater readability and value.

Taken as a whole, the book bears evidence of being the product of a number of years' work, the final writing being done from notes, many of which were not revised to accord with the latest available facts. Even so, there is much of worth scattered through the volume, and the general student of railway history will find it a convenient reference book on many topics.

J. H. P.

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Danger Signals for Teachers. By Dr. A. E. Winship. Chicago: Forbes and Company, 1919. Pp. 204.

Few among those practically interested in education have ever heard Dr. Winship speak without wishing that he would put more of his red-blooded common sense and democracy into black and white. In so doing in his "Danger Signals for Teachers," I am sure he has greatly multiplied the reach of some of the most worthwhile things he has yet said.

In sharp and striking paragraphs, short chapters and big print, he has simply and dramatically forced upon teachers existing factors in American life and education which make for a completer and truer democracy. The demand created by the war for statesmen in education, skill in teaching as the discovering of how a pupil can "dig in," his chapter on "Don't Be Aristocratic," his advocacy of the throwing of all individuals into solution through music, recreation and the drama, his insistence on democracy "for the Cabots, and Lowells as much as for the Lenines and the Trotzkys," the out-of-dateness of the politician in education—all will impress and help the common citizen who ought to be interested in educational issues, quite as much as those to whom it is a professional duty to be interested. That although the book reached me at eleven o'clock at night, I read it through before I went to bed and that I intend to read it through again is the best testimony I can offer of the extent to which it interested me.

A. Duncan Yocum.

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The Health of the Teacher. By Dr. William Estabrook Chancellor. Chicago, Ill.: Forbes and Co. Pp. 307.

Everything that Dr. Chancellor writes is remarkable—not merely in the sense of being noteworthy, but in that of being unusual. It is not so much that he writes in unexpected fields, as that in anything he writes, he is certain to discover new leads and to give his readers new points of view. All this is true of his new book on "The Health of the Teacher." It treats of everything from the care of the hair to being too successful and obliging or excessively anxious about health. Since it is as practical as it is interesting, it is sure to do much good to its readers in general and to teachers in particular.

A. Duncan Yocum.

II. REVIEWS OF REPORTS

Efficiency and Economy in California.—Students of public affairs will welcome from the state of California the report of the committee on efficiency and economy. The committee appointed by Governor Stephens on November 25, 1918, was composed of eleven men prominent in the official and civic life of the state, and carried on its work through five subcommittees under the chairmanship of Mr. John S. Chambers, Mr. Frank P. Flint, Dr. John R. Haynes, Mr. Marshall DeMotte, and Mr. Edward A. Dickson, respectively. With each subcommittee were associated several eminent men and women representing professional interest, technical skill, and civic understanding. For example the committee on finance, of which Mr. Chambers was chairman, included among others Mr. Anderson, a banker, Mr. McLaughlin, labor commissioner, Mr. Hatfield, professor of accounting, and Mr. Plehn, professor of finance, at the state university, and Professor West of Leland Stanford. Expert and lay opinions were wisely blended in formulating the organization and work program of each proposed department.

The committee early found it impossible or undesirable to attempt a general consolidation that would include absolutely all agencies of state administration. Eight elective officers were eliminated at the outset from consideration. The commission also left out of the proposed administrative structure, the civil service commission, the boards concerned with professional standards such as the board of medical examiners, the groups having to do with the regulation of financial institutions, commissions charged with local functions, the industrial accident commission, certain bodies with quasi-judicial functions, and a few other agencies.

The remaining branches of the state administration, the commission proposes should be consolidated into ten great departments: finance, trade and corporations, public works, agriculture, natural resources, labor, education, public health, institutions, and social service. Not all of these departments are to be dominated by single heads. The president of the railroad commission is to be head of the department of trade and corporations; the department of health is to be a group of five physicians with the chairman as chief of the department; education is to be administered by a board of five lay-members with the superintendent of public instruction as chief executive; social service is committed to an unpaid board; finance is to have two directors and a board. Collectively, the directors (including two from the department of finance) and chairmen of administrative boards are to form the governor's cabinet.

The criticisms of this proposed structure from the point of view of those who advocate the short ballot and a rigid hierarchy for state administration are so obvious that they need not be reviewed here. Perhaps, as Madison said of our federal constitution, it is useless to try by theoretical standards that which is clearly the outcome of practical considerations. One does not have to be intimately acquainted with the local situation in California to see sticking out at all points of the report compromises due to what the committee believed to be inexorable necessities. The report doubtless represents approximately the amount of consolidation and readjustment which the committee thought convincing to the average citizen and member of the legislature. Whoever starts to pick flaws in the report, therefore, will do well to read John Morley's essay on compromise first. Ardent youths who will have all or nothing had better not read the report at all. Students of government and spectators from other states will watch with interest the fate of the document. Governor Stephens' introductory letter is very lukewarm and it does not appear that he will break any lances with opponents in the political field.

One thing is certain. The committee is to be congratulated on having followed a mode of procedure calculated to draw to its work some of the best talent in the state and on presenting a report which, for directness, simplicity, and clearness of presentation leaves little to be desired. The reader is not overwhelmed by a mass of statistical and descriptive matter. The members of the committee greet him on the threshold with these cheering words: "This is exactly what we propose to do." Charts and diagrams and the survey of existing organization are relegated to the rear.

With Illinois, Massachusetts, Idaho, and Nebraska well on the way toward consolidation, New York reawakening, California taking the subject up, and other states alive to its importance, it would appear that American citizens realize the necessity of making our state governments efficient and able to cope with the perplexing problems in front of them. There are some, as Governor Stevens points out, who persistently aim at "retrenchment calculated to impair and destroy the agencies of government that protect the people from the forces of special privilege"; but by far the greater number interested in the movement for efficiency and economy aim at nothing short of responsible government capable of measuring up to its obligations.

Charles A. Beard.

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Why Massachusetts Should Have State Forests, issued by the Massachusetts forestry association, is noteworthy as a pamphlet intended to present to the voters of the state a matter in which an initiative petition, requiring the signatures of 20,000 qualified voters, is being circulated. The Massachusetts pamphlet is full of sound reasons for the adoption of a state forestry program; but it is a safe venture that not one person in ten, into whose hands it is placed, will read its 24 pages, despite the illustrations that have been used to brighten it. Its only fault lies in the fact that it has been prepared from the standpoint of those who are trying to do the convincing, rather than from that of those who are to be convinced.

With the increasing adoption of the initiative and referendum it is of importance that those who invoke these governmental functions should study the most effective means of getting their case before the voters. Doubtless pamphleteering has a useful place in accomplishing the purpose; but such pamphleteering should be undertaken with a clear understanding of the psychology of the printed appeal.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Philadelphia's "Pay-as-You-Go" Charter Clause Upheld by Supreme Court.—The "pay-as-you-go" provision in the new Philadelphia charter has been sustained by the state supreme court in a taxpayer's suit attacking three general and special city loans amounting to $127,495,000. These loans were approved by the voters before the new charter became effective in July; but the bonds have not yet been issued. The court upheld the loans as far as they are intended for permanent improvements, invalidating only those items to be used for deficiencies in current expenses, including street repairs. It will be necessary, however, for the city government to reconstruct the loans in accordance with the new charter requirements. While this involves delay and inconvenience, the decision is received by friends of the charter as a notable victory for the principle of sound municipal finance. Only those who consistently opposed the new charter are complaining that the tax rate may have to be raised. If it is not high enough to pay current expenses under an economical administration it ought to be raised. The fact that the city must now put its hand in its own pocket to pay its expenses is a good omen for future economy.

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Home Rule Charter-Drafting Proposals for Kansas City.—The Missouri legislature has adopted for submission to the voters of the state in 1920 an amendment changing the existing sections of the constitution under which cities of a class including only Kansas City are authorized to frame and adopt their own charters. (St. Louis already operates under sections of the constitution adopted for its special benefit.) The important changes proposed by the present amendment are: (1) That the question of charter revision may be submitted by initiative petition as well as by action of the city council. (2) That commissioners to draft a charter shall be nominated by petition and elected by a non-partisan ballot. (3) That a charter may be adopted by a majority vote instead of a four-sevenths vote. (4) That a charter shall not be required to make provision for a mayor, a chief magistrate, and a bicameral council. This amendment, which will be submitted to the voters at the election in November, 1920, will, if approved, make it possible for Kansas City to adopt the city manager plan, for which there has been considerable agitation.

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Special-Fund Law Violated to Maintain Ohio State Government.—One of the consequences of Ohio's acute financial situation was vividly shown when the state auditor declared in his recent annual report that if he had not violated the law last August every educational, benevolent, correctional, and penal institution, and many other state departments, would have been forced to suspend for lack of funds. According to the report, the state treasury was technically and legally, though not actually, bankrupt by $581,743 because the $2,174,622 actually on hand belonged to special funds which the law provides shall be used only for the purposes for which they were raised. Only by temporarily transferring some of these funds to the general revenue fund, despite the legal prohibition, the auditor declares, was it possible to keep the state government functioning. He affirms that the necessity for such an illegal course is infamous, and asks the governor to recommend to the legislature that the law be changed by the abolition of all special funds, of which 24 are enumerated, except the sinking fund. The consolidation of all state monies into two funds—general revenue and sinking—the auditor's report states would save much unnecessary bookkeeping and the necessity of violating the law in future emergencies; it would work no injury because special funds cannot be used for special purposes until the money is actually appropriated by the legislature; and it would clarify the fiscal problem and enable the state fathers to cut the financial garment more in keeping with the financial cloth. As a corollary, the auditor recommends a single, direct state tax levy instead of separate ones for universities, common schools, highways, and the like.

Modified Manager Plan Suggested for Cleveland.—The late Tom L. Johnson's statement that "the ideal committee is composed of three men—two of them dead," is recalled by the plan recently proposed in Cleveland (Ohio) for the creation of a city manager who shall be appointed by the mayor rather than by the city council. This plan is the recommendation of a committee of 15 appointed by the action of 25 representative Cleveland organizations to investigate and report on the city-manager plan of government for Cleveland.

The committee reached the conclusion that the mayor would make a better selection of manager than the city council because it believes the grade of manager selected depends largely on the intelligence, integrity and personality of the selecting agency, and that a mayor selected by popular choice is likely to be of a higher type than the average member of the council. The committee also contends in its report that the mayor, standing alone, will feel a greater responsibility to make the best choice of manager than would individual members of the council, who might seek to shift to others the blame for a bad appointment. It is also held that the experience of other cities with the city-manager plan is of no dependable value to Cleveland since none of them is comparable with it in size.

The committee recommends that the city manager be charged with the administrative functions of the city government and that his term of office be indefinite. The mayor, on the other hand, would be the personal head of the government, with power to determine policies, would hold office for four years, subject to popular recall, and would be ineligible to succeed himself. The committee recommends that the city solicitor and auditor be appointed by the mayor, and the city treasurer by the city manager.

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Notable Triumph of Commission-Manager Plan in Altoona (Pa.).—For two years Altoona has been operating under a city-manager form of government made possible by a provision of the Clark act of 1913 which permits the city commissioners to create any offices they choose and pay the employes of such offices. This clause was invoked in 1917 when the chamber of commerce conducted a campaign leading to the nomination and election of the present four commissioners, each of whom was pledged to accept a nominal salary of $500 annually, instead of the maximum of $2,500, in order to make possible the employment of a capable city manager. Since that time the legislature has abolished the law providing for a non-partisan ballot in third-class cities; but when the four commissioners (two Republicans and two Democrats) came up recently for re-nomination, all of them, with no effort on their part to solicit votes, were decisively named on the Republican ticket and three of them also on the Democratic ticket. To cap the climax, a Democrat received the highest number of votes on the Republican ticket, and a Republican received the highest number of votes on the Democratic ticket.

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Automatic Repeal of Laws.—The Pennsylvania "blue law" of 1794, regulating the manner of observing the Sabbath, has long been a source of strife between those who recognize no evolution in standards set up 125 years ago and those who do. Recently this law was resurrected for the prosecution of an aviator who accepted money for carrying passengers on Sunday—an incident which those who drafted the law could hardly have intended it cover. Many other instances of the fettering of the present by the legal enactments of the past have their serious as well as their humorous aspects. The present instance has drawn from Walter A. May, of Pittsburgh, a suggestion which is perhaps brand new and worthy of consideration. Mr. May proposes that every law or ordinance—state, federal, or local—should carry its own expiration date, so that the continuance of its force after such a date would require its re-enactment, and consequently the reconsideration of its pertinence to the needs of the time. From the witchcraft laws to such things as traffic regulations, with the whole gamut of subjects between these extremes, there are many evidences of the value of having the automatic death sentence applied.

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Two Million Housing Fund for St. Louis.—A $2,000,000 housing association to build homes at reasonable prices in St. Louis, has been formed with the backing of the chamber of commerce, the Commercial club, and other organizations.

The association's capital will be raised by stock subscriptions, preferably from the owners and officials of manufacturing plants and large industries. As soon as $1,000,000 is subscribed, the organization will purchase land adjoining industrial sections of the city and prepare its building plans. The houses are to be sold on small cash payments to people of moderate means, and will be paid for in installments covering a period of fifteen or twenty years. The association, it is announced, is not formed for profit.

II. POLITICS

The Philadelphia Mayoralty Election.—Philadelphia has had two important elections within a space of six weeks. The first was the primary on September 16, when the independents made their fight within the Republican party. The mayoralty candidate supported by the independents and the Republican alliance, composed of the best elements of the Republican party, defeated the Vare organization candidate by 1,313 votes. The conclusion to make the fight at the primary was based upon the fact that Philadelphia is an overwhelmingly Republican city and that previous efforts to elect an independent candidate had generally failed because of that fact. It is true that in 1911 Blankenburg was elected mayor on an independent ticket, but that was largely due to the defection, or perhaps it would be more accurate to say the inaction, of the defeated faction in the Republican party.

The result of the primary broke the power of the Vare organization which had locally been dubbed "the prussians" largely because of the methods followed and of the lack of a clear understanding of the human elements involved.

A number of ward leaders who had been affiliated with the Vares for four years, because they were the dominant leaders in the Republican party, at once declared themselves for the successful candidate and thus assured the election. The Vares had practically no other course than to turn in for the successful candidate, as there was none other whom they could support with any hope of success. At one time there was a rumor that they would knife certain candidates on the Republican ticket; but the independent forces made that impossible, so that at the election on November 4 the successful candidate at the primaries was elected by a plurality of 190,000 and a majority of 174,000, breaking all records. He carried with him all the candidates nominated at the primary, including a majority of the new council of 21 provided for in the new charter.

The successful candidate, Hon. J. Hampton Moore, has been a member of congress from Philadelphia for many years. Before that he was city treasurer and has held various other municipal and public offices. He is a man of independent type, although disposed to be regular in his party affiliations. While he is known as a politician, he is one of the cleaner sort, having a reputation for clean methods and hard hitting. He has an enviable record for attention to duty and he has always possessed the respect of his colleagues and co-workers. He has unqualifiedly endorsed the new charter and he has promised to carry it out in the spirit in which it was conceived. It is generally believed he will be more successful in his administration than Mr. Blankenburg because of his more intimate knowledge of politics and politicians. During the campaign he stressed the public welfare features of the new charter and he has generally ranged himself on the side of the progressives, not in any strong language, but in a way to make even the most cautious feel that he will make a real effort to give a sympathetic administration of the new charter.

Mr. Moore's opponent in the primary is a judge of the common pleas court, the Hon. J. M. Patterson, a man of unusual personality and a born vote-getter. His strength as a candidate, however, was not sufficient to overcome the strong opposition to the Vare organization, which has already begun to disintegrate.

✦

Dayton's Vindication of Commission-Manager Government.—It may be confidently asserted that the commission-manager form of government is to-day more firmly rooted in Dayton than at any time since its inception in January, 1914. In fact, I doubt if even the enemies of the present régime seek an abandonment of the *form* of government. What they desire is that the plan shall remain intact, but that they be put in power instead of those placed there by the majority vote of our citizenship. The reason is obvious. Under our charter authority, power and responsibility are narrowed down to five men, and by them delegated to one—the manager. This is Utopian so long as the five commissioners are capable, fair-minded and honest. But, substitute for three of those five honest men three who are taking their orders from an unseen source, and good government would be doomed.

The result of the last primary and of the general election shows clearly that Dayton citizens have confidence in their government as at present constituted, and that they want their governmental decisions made in open court within the city hall rather than in some obscure meeting hall where the atmosphere is tainted with other considerations than that of good government. The two gentlemen who came out of the contest victorious had the endorsement of the citizens' committee, which is a continuation of the group that launched the commission-manager form of government in Dayton. One of the two successful candidates was already a member of the city commission, and has now been approved by the people for an additional term. The other is known by his civic record to be a champion of the right of any question as he sees it, regardless of party affiliations. In fact, I do not know at the present moment what his political tendencies are. Certain it is that he was elected by all the people and not by any partisan favor.

At various times, both in the heat of election campaigns and in the intervals between, the accusing finger has been pointed at Dayton's form of government and the charge made that through its operations the city has been brought to the verge of financial difficulties. Nothing is more injurious than a half truth. It is to be lamented that Dayton does lack the funds to carry on its functions properly, but the blame for that cannot be laid at the door of the commission-manager form of government. Rather might it be praised for accomplishing as much as it does with the funds at its disposal. It displays efficiency in poverty rather than inefficiency in affluence. Henry Waite, our first manager, began operations with the determination that the city should live within its income, *i. e.*, should not issue bonds for current expenses. This policy was successfully adhered to and an impressive inherited debt was gradually being paid off. What happened to Dayton's finances during the war is only what happened to all the cities of Ohio. It has no relation whatever to the commission-manager government, but rather, as has been repeatedly shown, to the limitations of the pernicious Smith one-per-cent law—a political chestnut which neither the Republicans nor Democrats seem willing to pull out of the fire for fear of the rural voters.

J. B. Gilbert.

◆

The November Elections.—This being an off year generally in state elections, the voting was confined principally to local issues, though five states balloted for governors, while six others had minor offices and referendum questions to decide. At the time this is written it is impossible to make a comprehensive survey of the results, but it may be said that the outstanding feature was the re-election of Governor Coolidge by about 124,000 plurality. The result was accepted nationally as a vindication of the governor's attitude toward the Boston police strike. The whole Republican state ticket was elected in Massachusetts, and the legislature continues Republican by a slightly reduced, but still substantial, majority.

State Senator Edwards, the Democratic candidate for governor of New Jersey, was elected over the Republican candidate by a good margin, his success being attributed largely to the feeling in the state against the federal prohibition amendment and against the stand of the Republican utilities commission in the zone fare controversy. The legislature, however, was reported Republican.

The gubernatorial elections in Maryland, Mississippi, and Kentucky were carried by the Democrats in the first two states named, and by the Republicans in the last. The Democrats also carried the Maryland legislature, while in Kentucky the legislature is Republican and the state prohibition amendment is adopted.

In Ohio the classification amendment—part of the program for municipal tax reform—was defeated by over 100,000 votes. The popular referendum on the legislature's approval of the federal prohibition amendment apparently reverses that action by such a small margin that a recount is probable.

Tammany was defeated after a warm fight for the presidency of the New York city board of aldermen, F. H. La Guardia, Republican, being elected by less than 1,400 votes. Its judicial backer was also defeated.

Republicans will dominate the Illinois constitutional convention. Reports are not at hand on the referendum vote to instruct the convention on the questions of the initiative and referendum and the municipal ownership of public utilities. Chicago voters defeated the proposition to re-district the city and reduce the membership of the city council.

The new mayor of Troy (New York) is James W. Fleming, nominated as a compromise candidate suggested by ex-Mayor Burns when the latter withdrew from the contest after serving eight years. The new official has a colorless record.

In Rochester (New York) Mayor Edgerton was re-elected for the seventh time, an indorsement of a straight-forward, efficient administrator. As the outcome of the new city-manager charter in Memphis (Tennessee) the citizens' ticket carried into office a mayor and four commissioners who have never been in politics before.

Four of the seven commissioners of Kalamazoo (Michigan) were re-elected, and two candidates for re-election were defeated. A proposed bond issue failed to receive the necessary three-fifths approval by 595 votes.

Springfield (Ohio) defeated, by a majority of 3,300 in a total vote of 10,900, two of the present commissioners who were running for re-election, two union labor men being chosen in their place. There were a number of contributing factors, among them the present labor unrest, the citizens' feeling that the employer class was more largely represented than the employe, and the unpopular increase in the street car fare from five cents to nine tickets for fifty cents.

The noteworthy mayoralty election in Philadelphia is treated elsewhere, while other elections deserving mention will be noted as soon as definite reports have been received.

◆

Cincinnati's Four-Year Mayoralty Term Upheld.—At the election of November, 1917, Mayor Galvin of Cincinnati was elected under the state law for a term of two years. At the same election a charter was adopted which provided that the mayor elected at that time should serve for a four-year term. Recently the question was raised whether the charter could give the original two-year election a four-year effect. The issue was taken into court, where the charter provision was upheld.

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